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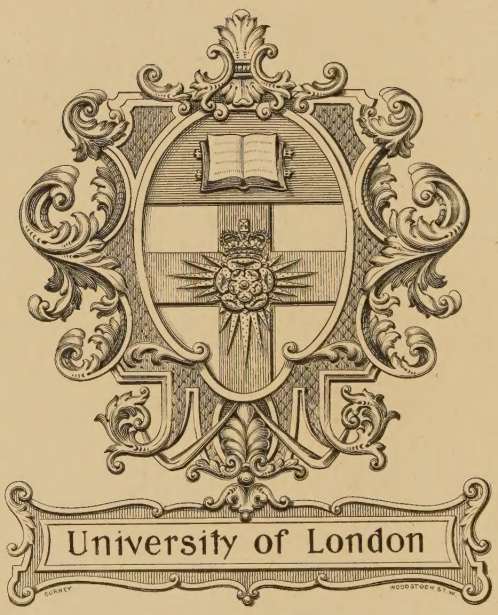

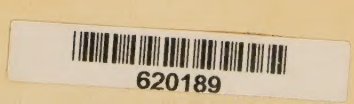
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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

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51 VICTORIÆ, 1888.

VOL. CCCXXVII.

COMPRISING THE PERIOD FROM

THE THIRTEENTH DAY OF JUNE, 1888,

TO

THE TWENTY-NINTH DAY OF JUNE, 1888.

Sixth Volume of the Session.

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[4.45.]

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EAST INDIA (MR. WILLIAM TAYLER)—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable, with a view to the settlement of a

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EAST INDIA (MR. WILLIAM TAYLER)—*continued.*

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WAYS AND MEANS—*considered* in Committee—

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1889, the sum of £5,570,712 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported upon *Monday* next.

Customs (Wine Duty) Bill [Bill 293]—

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Moved, "That an humble Address be presented to Her Majesty to express the deep sorrow of this House at the great loss which Her Majesty has sustained by the death of His Imperial Majesty Frederick, German Emperor, King of Prussia, and to condole with Her Majesty on this melancholy occasion;

To assure Her Majesty that this House will ever feel the warmest interest in whatever concerns Her Majesty's domestic relations, and to declare the ardent wishes of this House for the happiness of Her Majesty and of Her family,"—(*The Marquess of Salisbury*) 383

On Question, *agreed to, nemine dissentiente.*

Ordered, that the said Address be presented to Her Majesty by the Lords with White Staves.

Moved to resolve—

"That this House do condole with Her Imperial Majesty Victoria, German Empress, Queen of Prussia, Princess Royal of Great Britain and Ireland, on the great loss which she has sustained by the death of His Imperial Majesty,"—(*The Marquess of Salisbury.*)

On Question, *agreed to, nemine dissentiente.*

Ordered, that a message of condolence be sent to Her Imperial Majesty, and that the Lord Chancellor do communicate the said message to Her Majesty's Ambassador at Berlin, with a request that he will attend the Empress Victoria for the purpose of conveying it to Her Imperial Majesty.

Moved to resolve—

'That this House desire to express their profound sympathy with the Imperial and Royal Family and with the Government and people of Germany,"—(*The Marquess of Salisbury.*)

On Question, *agreed to, nemine dissentiente.*

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—o—

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Question put, and *agreed to.*

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MOTION.

DEATH OF THE GERMAN EMPEROR—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, to express the deep concern and sorrow of this House at the great loss which Her Majesty has sustained by the death of His Imperial Majesty Frederick William, German Emperor, King of Prussia, and to condole with Her Majesty on this melancholy occasion, and to pray Her Majesty that She will be graciously pleased to express to His Majesty, the present Emperor, the profound sympathy of this House with the Imperial and Royal Family, and with the Government and People of Germany. To assure Her Majesty that this House will ever feel the warmest interest in whatever concerns Her Majesty's domestic relations, and to declare the ardent wishes of this House for the happiness of Her Majesty and of Her Family. That the said Address be presented to Her Majesty by such Members of this House as are of Her Majesty's Privy Council. That this House doth condole with Her Imperial Majesty Victoria, German Empress, Queen of Prussia, Princess Royal of Great Britain and Ireland, on the great loss which she has sustained by the death of His Imperial Majesty. That a Message of Condolence be sent to Her Imperial Majesty, and that Mr. Speaker do communicate the said Message to Her Majesty's Ambassador at Berlin, with a request that he will attend the Empress Victoria for the purpose of conveying it to Her Imperial Majesty,"—(*Mr. W. H. Smith*) 457

After short debate, Address *agreed to.*

ORDERS OF THE DAY.

Local Government (England and Wales) Bill [Bill 182]—

Bill *considered* in Committee [*Progress 15th June*] [SEVENTH NIGHT] .. 463

After long time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock.

Customs (Wine Duty) Bill [Bill 293]—

Bill *considered* in Committee [*Progress 15th June*] 556

After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow*, at Two of the clock.

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Merchant Shipping (Life Saving Appliances) Bill [*Lords*]—
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MOTIONS.

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ORDER OF THE DAY.

Local Government (England and Wales) Bill [Bill 182]—
Bill *considered* in Committee [*Progress* 18*th June*] [EIGHTH NIGHT] .. 591
After long time spent therein, Committee report Progress; to sit again upon *Friday*, at Two of the clock.

MOTION.

Bishop's Authority Regulation Bill—*Ordered* (*Colonel Sandys, Mr. Wardle, Mr. Joicey, Colonel Saunderson*); *presented*, and read the first time [Bill 300] .. 660

It being ten minutes to Seven of the clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

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MOTIONS.

COLONIAL GOVERNMENT SECURITIES—RESOLUTION—

Moved, "That, in the opinion of this House, the suitability of Colonial Government Inscribed Stocks for Trust investments should be more adequately recognized,"—(*Sir George Baden-Powell*) 660

After debate, Motion, by leave, *withdrawn.*

ECCLESIASTICAL ASSESSMENTS (SCOTLAND)—RESOLUTION—

Moved, "That, in the opinion of this House, it is inexpedient that Assessments for Ecclesiastical purposes in Scotland should be maintained, and that in lieu thereof an equivalent annual assessment ought to be made for assisting Secondary Education in Scotland,"—(*Mr. Hunter*) 683

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "as the Ecclesiastical Assessments have been a burden upon land from time immemorial for the erection and repair of church buildings in the old parishes of Scotland, this House, in the absence of any grievance connected therewith, except in the case of feuars, for whose relief a Bill is now before Parliament, declines to entertain a proposal to alienate these assessments to secular uses,"—(*Mr. James Campbell.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 111, Noes 148; Majority 37.

Division List, Ayes and Noes 708

Main Question, as amended, proposed 710

After short debate, Main Question, as amended, put:—The House *divided;* Ayes 143, Noes 104; Majority 39.—(Div. List, No. 166.)

Resolved, That as the Ecclesiastical Assessments have been a burden upon land from time immemorial for the erection and repair of church buildings in the old parishes of Scotland, this House, in the absence of any grievance connected therewith, except in the case of feuars, for whose relief a Bill is now before Parliament, declines to entertain a proposal to alienate these assessments to secular uses.

And it being One of the clock a.m., Mr. Speaker adjourned the House without Question put.

COMMONS, WEDNESDAY, JUNE 20.

ORDERS OF THE DAY.

Libel Law Amendment Bill [Bill 294]—

Bill, as amended, *considered* 713

Bill to be read the third time upon *Wednesday* next.

Reformatory Schools Act (1866) Amendment Bill [Bill 161]—

Bill, as amended, *considered* 775

Bill to be read the third time upon *Friday.*

Distress for Rent (Dublin) Bill [Bill 159]—

Bill *considered* in Committee 778

Bill *reported*, with an amended Title; as amended, to be considered *To-morrow.*

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Oaths Bill [Bill 7]—

Bill *considered* in Committee [*Progress 13th June*] 779

It being half after Five of the clock, the Chairman left the Chair to make his Report to the House:—Committee report Progress; to sit again upon *Wednesday* next.

QUESTIONS.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—CONSPIRACY—RELEASE OF KILLEAGH PRISONERS—Questions, Mr. John Morley, Mr. Commins; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 780

THE EXECUTIVE (IRELAND)—RUMOURED RESIGNATION OF THE CHIEF SECRETARY TO THE LORD LIEUTENANT—Questions, Mr. Sexton, Mr. Clancy; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 781

MOTION.

Commons Regulation Provisional Order (Therfield Heath) Bill—*Ordered* (*Mr. Stuart-Wortley, Mr. Secretary Matthews*); *presented*, and read the first time [Bill 301] 782

[5.50.]

LORDS, THURSDAY, JUNE 21.

METROPOLIS (OPEN SPACES)—PROVISION FOR SEATS IN PARLIAMENT SQUARE—Question, The Earl of Meath; Answer, Lord Henniker .. 783

North Sea Fisheries Bill (No. 158)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Onslow*) .. 783

Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow*.

METROPOLIS (STREET IMPROVEMENTS)—PROPOSED NEW STREET FROM PALL MALL TO TRAFALGAR SQUARE THROUGH SPRING GARDENS—Question, Observations, Lord Thurlow; Reply, Lord Henniker 783

DEFENCES OF THE EMPIRE—FORTIFIED PORTS—ENTRY OF FOREIGN SHIPS OF WAR AND TRANSPORTS—Question, Observations, The Earl of Carnarvon; Reply, Lord Elphinstone 785

TRADE OF INDIA AND THE COLONIES—MOTION FOR A RETURN—

Moved for,

"Return showing the amount of trade between India and each of the Colonies on the one hand, and the following countries:—Equador, Greece, Italy, Montenegro, Paraguay, Portugal, Roumania, Salvador, Servia, Uruguay, during the year 1886," —(*The Lord Stanley of Alderley*) 788

Motion amended, and *agreed to*. [5.15.]

COMMONS, THURSDAY, JUNE 21.

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INDIA—THE IRRAWADDY FLOTILLA COMPANY—Question, Mr. Bradlaugh; Answer, The Under Secretary of State for India (Sir John Gorst) .. 802

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EVICTIONS AND PAUPERISM (SCOTLAND)—Question, Dr. Clark; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) 821

POOR RELIEF (SCOTLAND)—POOR LAW ACT, 1845—Question, Dr. Clark; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) .. 822

SUGAR BOUNTIES—DECISION OF THE CONFERENCE—Question, Mr. Labouchere; Answer, The Under Secretary of State for the Colonies (Baron Henry de Worms) 822

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—ABANDONMENT OF THE LICENSING CLAUSES—Question, Mr. Ernest Spencer; Answer, The President of the Local Government Board (Mr. Ritchie) .. 823

CHELSEA HOSPITAL—GEORGE WILLIAMS, A PENSIONER—Question, Mr. Arthur O'Connor; Answer, The Attorney General (Sir Richard Webster) 823

GREENWICH HOSPITAL—APPROPRIATION OF FUNDS—Question, Sir William Crossman; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 824

RULES AND ORDERS OF THIS HOUSE—DIVISIONS—Question, Colonel Nolan; Answer, The First Lord of the Treasury (Mr. W. H. Smith) .. 825

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—IMPRISONMENT OF MR. DILLON, M.P.—Questions, Mr. W. E. Gladstone, Mr. John Morley, Sir William Harcourt, Mr. T. M. Healy; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 825

LAW AND JUSTICE (IRELAND)—MR. KELLY, COUNTY COURT JUDGE OF CLARE—Question, Mr. Jordan 828

ORDERS OF THE DAY.

—o—

Customs (Wine Duty) Bill [Bill 293]—

Moved, "That the Bill be now read the third time" 828

Question put, and *agreed to*:—Bill read the third time, and *passed*.

SUPPLY—*considered* in Committee—ARMY ESTIMATES—

(In the Committee.)

(1.) Motion made, and Question proposed, "That a sum, not exceeding £1,410,000, be granted to Her Majesty, to defray the Charge for the Supply and Repair of Warlike and other Stores, which will come in course of payment during the year ending on the 31st day of March 1889" 829

Moved, "That the Item A, £90,763, Pay of Establishments and for Inspection and Proof of Stores, be reduced by the sum of £1,000,"—(*Mr. Hanbury*:)—After debate, Question put:—The Committee *divided*; Ayes 95, Noes 131; Majority 36.—(Div. List, No. 172.)

Original Question again proposed 890

After short debate, Original Question put, and *agreed to*.

(2.) £58,300, Chaplain's Department.

(3.) £32,400, Staff of Military Prisons.

Motion made, and Question proposed, "That a sum, not exceeding £30,000, be granted to Her Majesty, to defray the Charge for the Ordnance Factories, which will come in course of payment during the year ending on the 31st day of March 1889" 896

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SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

Moved, "That a sum, not exceeding £29,500, be granted for the said Service,"—(*Mr. Broadhurst :*)—After short debate, *Moved*, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Henry H. Fowler :*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 903

Amendment, by leave, *withdrawn.*

Original Question again proposed 903

After short debate, *Moved*, "That the Motion be withdrawn :"—After further short debate, Question put, and *agreed to :*—Motion, by leave, *withdrawn.*

NAVY ESTIMATES.

(4.) Motion made, and Question proposed, "That a sum, not exceeding £956,400, be granted to Her Majesty, to defray the Expense of Victualling and Clothing for the Navy, which will come in course of payment during the year ending on the 31st day of March 1889" 920

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Dr. Tanner :*)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 923

After short debate, *Moved*, "That a sum, not exceeding £956,150, be granted for the said Service,"—(*Mr. Conybeare :*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 935

Moved, "That the Question be now put,"—(*Mr. Aird :*)—Question put;—The Committee *divided;* Ayes 198, Noes 85; Majority 113.—(Div. List, No. 173.)

Original Question put accordingly, and *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

Consolidated Fund (No. 2) Bill—

Moved, "That the Bill be now read a second time" 936

After short debate, Question put, and *agreed to :*—Bill read a second time, and *committed* for *To-morrow.*

Lunacy Acts Amendment Bill [*Lords*] [Bill 228]—

Moved, "That the Second Reading be deferred till Thursday next" .. 937

Question put, and *agreed to :*—Second Reading *deferred* till *Thursday* next.

Supreme Court of Judicature (Ireland) Act (1877) Amendment Bill [Bill 281]—

Order for Committee read :—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Chance*) 937

Question put, and *agreed to :*—Bill *considered* in Committee :—Committee report Progress; to sit again *To-morrow.*

Land Law (Ireland) Act (1887) Amendment Bill—

Lords' Amendments *considered*, and *agreed to* 938

[12.35.]

LORDS, FRIDAY, JUNE 22.

INDIA—HINDOO MARRIAGE LAW—RUKHMABAI'S CASE—Question, Observations, The Bishop of Carlisle; Reply, The Secretary of State for India (Viscount Cross) 941

CHURCH PATRONAGE (SCOTLAND) ACT, 1874 — MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be appointed for the purpose of considering the provisions of the Church Patronage (Scotland) Act, 1874, and whether some part of

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CHURCH PATRONAGE (SCOTLAND) ACT, 1874—*continued.*

the responsibility for the appointment of ministers to vacant parishes in Scotland might not properly and advantageously be extended to the parochial public by means of 'the heritors of the parish (being Protestants) and the elders,' or the heads of families, or committees of the ratepayers, or otherwise,"—(*The Earl of Minto*) .. 942

After debate, on Question? *Resolved* in the *negative.*

Coroners Bill (No. 36)—

House in Committee (according to Order) 956

Moved, "That the House do now resume;" *agreed to;* House *resumed* accordingly.

MALTA—THE NEW CONSTITUTION—MOTION FOR AN ADDRESS—

Moved, "That an humble address be presented to her Majesty for Return of the amount of the annual contribution from the revenue of Malta for military purposes, and of the amount remitted directly or indirectly in drawbacks to the military authorities, with the view of ascertaining the possibility of applying these sums towards defraying the expenses of the Militia,"—(*The Earl De La Warr*) 958

After short debate, Motion (by leave of the House) *withdrawn.*

FISHERIES (IRELAND)—THE SOUTH AND WEST COASTS—RESOLUTION—

Moved to resolve—

1. "That an immediate survey of the fishing grounds on the south and west coast of Ireland is much required:
2. That in the event of Her Majesty's Government accepting the recommendation of the Royal Commission on Irish Public Works to reconstruct the Irish Fishery Department, legislation be not delayed beyond the present Session of Parliament," (*The Earl of Howth*) 962

After short debate, Motion (by leave of the House) *withdrawn.*

Local Bankruptcy (Ireland) Bill (No. 93)—

House in Committee (according to order) 966

Bill *reported* without Amendment; and to be read 3ª on *Friday* next.

[8.0.]

COMMONS, FRIDAY, JUNE 22.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 (IMPRISONMENT OF MR. JOHN DILLON)—Letter received by Mr. Speaker 969

QUESTIONS.

EDUCATION DEPARTMENT (SCOTLAND)—MR. T. A. STEWART, INSPECTOR OF SCHOOLS—Question, Mr. Macdonald Cameron; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) 970

WAR OFFICE—ARMY ACCOUTREMENTS—THE 3RD BEDFORDSHIRE REGIMENT—VALISES—Question, Mr. Henniker Heaton; Answer, Sir Herbert Maxwell (A Lord of the Treasury) 970

THE MAGISTRACY (IRELAND)—MR. W. J. GLASGOW, COOKSTOWN, CO. TYRONE—Question, Mr. T. W. Russell; Answer, The Solicitor General for Ireland (Mr. Madden) 971

INLAND REVENUE OFFICE, LIVERPOOL—STAMPING—Question, Mr. W. F. Lawrence; Answer, The Chancellor of the Exchequer (Mr. Goschen) 971

RIOTS AND DISTURBANCES (IRELAND)—DISTURBANCES AT KILRUSH, COUNTY CLARE—Questions, Mr. Jordan, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 972

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VACCINATION ACTS — CONVICTIONS AT BATH — Question, Mr. Handel Cossham; Answer, The Secretary of State for the Home Department (Mr. Matthews) 973

CRIMINAL LAW—STABBING CASE AT LIVERPOOL—CASE OF JOHN DUGGAN —Question, Mr. W. F. Lawrence; Answer, The Secretary of State for the Home Department (Mr. Matthews) 974

ROYAL IRISH CONSTABULARY—DISTRICT INSPECTOR TILLY—Question, Mr. Cox; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 974

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—EMPLOYMENT OF CONVICT PRISONERS—Questions, Mr. W. H. James, Mr. Cox; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour); Question, Mr. Conybeare [No reply] 975

INLAND REVENUE—RECEIPTS FROM LICENCES AND INHABITED HOUSE DUTY —Questions, Mr. Caine; Answers, The Chancellor of the Exchequer (Mr. Goschen) 975

INLAND NAVIGATION (IRELAND)—THE LAGAN NAVIGATION COMPANY— Questions, Mr. T. M. Healy; Answers, The Secretary to the Treasury (Mr. Jackson) 976

EVICTIONS (IRELAND)—EVICTION AT CLOGHER—ALLEGED CRUEL TREATMENT —Questions, Mr. W. Redmond; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 977

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 — THE ENNIS MEETING—REMARKS OF COUNTY COURT JUDGE KELLY—Questions, Mr. Cox, Mr. Jordan; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 980

INDIA—ADEN HARBOUR TRUST—Question, Mr. T. Sutherland; Answer, The Under Secretary of State for India (Sir John Gorst) .. 982

CRIMINAL LAW—UNTRIED PRISONERS AND HANDCUFFS—Question, Mr. T. M. Healy; Answer, The Secretary of State for the Home Department (Mr. Matthews) 982

POOR LAW (IRELAND)—THE BALLINASLOE BOARD OF GUARDIANS—Question, Mr. Harris; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 983

TURKEY (ASIATIC PROVINCES)—ATTACK ON A BRITISH SUBJECT AT ALEPPO —Question, Mr. Munro-Ferguson; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 983

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ADMINISTRATION OF THE ACT—Questions, Mr. T. M. Healy; Answers, The Solicitor General for Ireland (Mr. Madden), The Chief Secretary for Ireland (Mr. A. J. Balfour) 984

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—CONVICTIONS AT KILLEAGH FOR CONSPIRACY—Questions, Sir William Harcourt; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 985

LAW AND POLICE (IRELAND)—INSTRUCTIONS TO PREVENT ASSEMBLIES IN THE STREETS AT TRIALS—Question, Mr. Schwann; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 988

H.R.H. THE COMMANDER-IN-CHIEF—THE PATENT — Question, Mr. E. Robertson; Answer, Sir Herbert Maxwell (A Lord of the Treasury) 989

LAW AND JUSTICE (IRELAND)—CHANCERY DIVISION (LAND JUDGES COURT) —MR. P. M'DERMOTT, J.P.—Questions, Mr. Chance; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 989

POOR LAW (IRELAND)—BALLINASLOE POOR LAW BOARD—Questions, Mr. Harris, Mr. Chance; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 990

POST OFFICE (SAVINGS BANK DEPARTMENT)—Question, Mr. Macdonald Cameron; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 992

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THE INDIAN BUDGET—Questions, Mr. King, Mr. Bradlaugh; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 993
THE MAGISTRACY (IRELAND)—MR. CECIL ROCHE, R.M.—Questions, Mr. T. M. Healy, Mr. Conybeare; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 993
CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—Notice of Resolution, Mr. John Morley; Observation, The First Lord of the Treasury (Mr. W. H. Smith) 994
LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—Question, Mr. Clancy; Answer, The First Lord of the Treasury (Mr. W. H. Smith) .. 995

ORDERS OF THE DAY.

—o—

Local Government (England and Wales) Bill [Bill 182]—

Bill *considered* in Committee [*Progress* 19*th June*] [NINTH NIGHT] .. 996
After long time spent therein, it being ten minutes to Seven of the clock, the Chairman left the Chair to make his report to the House:—Committee report Progress; to sit again upon *Monday* next.

QUESTIONS.

—o—

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ADMINISTRATION OF THE ACT—Questions, Mr. John Morley; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1057
CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—JUDGMENTS IN THE KILLEAGH CASE—NOTES OF THE JUDGES' DECISION—Question, Mr. T. M. Healy; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1059

It being Seven of the clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

—o—

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

CHURCH OF SCOTLAND—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Church of Scotland ought to be disestablished and disendowed,"—(*Dr. Cameron,*)—instead thereof 1060

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 260, Noes 208; Majority 52.

Division List, Ayes and Noes 1104

Motion, "That Mr. Speaker do now leave the Chair," *withdrawn*:—SUPPLY—Committee upon *Monday* next.

It being One of the clock a.m., Mr. Speaker adjourned the House, without Question put, till *Monday* next.

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LORDS, MONDAY, JUNE 25.

HIS IMPERIAL HIGHNESS THE LATE GERMAN EMPEROR—Her Majesty's Answer to the Address of Condolence *reported* 1108

FOREIGN MARRIAGE ACT—Question, Observations, Lord Lamington; Reply, The Prime Minister and Secretary of State for Foreign Affairs (The Marquess of Salisbury) 1108

Universities (Scotland) Bill (No. 165)—

Order of the Day for the Third Reading, read 1109

The Queen's Consent signified; Bill read 3ª (according to order).

Moved, "That the Bill do pass?"—Amendments made:—Bill *passed*, and sent to the Commons.

Suffragans' Nomination Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 176) 1111

Public Health (Scotland) Provisional Order (Kirkliston, Dalmeny, and South Queensferry Water) Bill [H.L.]—*Presented* (*The Lord Ker* [*M. Lothian*]); *Moved*, That the Sessional Order of the 6th of March last, "That no Bill originating in this House confirming any Provisional Order or Provisional Certificate shall be read a first time after Friday the 11th day of May next," be dispensed with in respect of the said Bill, and that the Bill be now read 1ª; *agreed to*: Bill read 1ª, and *referred* to the Examiners (No. 177) 1111

[5.0.]

COMMONS, MONDAY, JUNE 25.

DEATH OF THE GERMAN EMPEROR—Her Majesty's Answer to the Address *reported* 1112

QUESTIONS.

—o—

FISHERIES (SCOTLAND)—THE LOBSTER FISHERIES—Question, Mr. Fraser-Mackintosh; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) 1112

ROYAL MILITARY ACADEMY, WOOLWICH—ENTRANCE EXAMINATIONS—Question, Sir Henry Roscoe; Answer, The Financial Secretary, War Department (Mr. Brodrick) 1113

EXCISE DEPARTMENT—PAY AND PROMOTION OF ASSISTANTS—Question, Mr. Henniker Heaton; Answer, The Secretary to the Treasury (Mr. Jackson) 1114

PAROCHIAL EXPENDITURE (METROPOLIS)—ST. MARGARET AND ST. JOHN, WESTMINSTER—Question, Mr. Bartley; Answer, The President of the Local Government Board (Mr. Ritchie) 1114

POOR LAW (IRELAND)—ATHY BOARD OF GUARDIANS—Questions, Mr. Kilbride, Mr. Arthur O'Connor; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1115

CIVIL SERVICE ESTABLISHMENTS—REPORT OF THE ROYAL COMMISSION—Question, Mr. Tuite; Answer, The Secretary to the Treasury (Mr. Jackson) 1116

INLAND NAVIGATION AND DRAINAGE (IRELAND)—LOUGH CORRIB—Question, Colonel Nolan; Answer, The Secretary to the Treasury (Mr. Jackson) 1116

INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE SHANNON—Question, Colonel Nolan; Answer, The Secretary to the Treasury (Mr. Jackson) 1117

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HORSE AND CATTLE BREEDING (IRELAND)—ROYAL DUBLIN SOCIETY—THE GRANT OF £5,000—Question, Mr. M. J. Kenny; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1118

THE SUGAR BOUNTIES—PROTECTIVE DUTIES OF FOREIGN COUNTRIES—Question, Mr. Picton; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1119

SUGAR BOUNTIES CONFERENCE—THE UNITED STATES GOVERNMENT—Question, Mr. Illingworth; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1119

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—IMPRISONMENT OF MR. JOHN DILLON, M.P.—Question, Mr. W. E. Gladstone; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1120

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—PRISON REGULATIONS—MR. JOHN DILLON, M.P.—Question, Mr. Joicey; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1120

LAW AND JUSTICE (IRELAND)—MR. J. H. ATKINSON, PETTY SESSIONS CLERK, MARYBOROUGH, QUEEN'S COUNTY—Questions, Mr. Lalor, Mr. Kilbride; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1120

HOME OFFICE—PRISON DEPARTMENT—Question, Mr. Quilter; Answer, The Under Secretary of State for the Home Department (Mr. Stuart-Wortley) 1121

LAND PURCHASE (IRELAND) ACT, 1885—ARREARS OF RATES—Question, Mr. Sheehy; Answer, The Solicitor General for Ireland (Mr. Madden) 1121

POOR LAW (IRELAND)—DISMISSAL OF P. LOUGHREY, TULLA UNION—Question, Mr. Cox; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1122

POST OFFICE—CIRCULATION DEPARTMENT (INLAND BRANCH)—SUNDAY DUTY—THE SORTERS—Question, Mr. Pickersgill; Answer, The Postmaster General (Mr. Raikes) 1123

CUSTOMS AND INLAND REVENUE ACT, 1888—STAMP PENALTIES—Question, Mr. Whitley; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1124

LAW AND JUSTICE (IRELAND)—ADMINISTRATION OF JUDICIAL OATHS—Questions, Mr. J. Sinclair; Answers, The Solicitor General for Ireland (Mr. Madden) 1124

CHELSEA HOSPITAL—GEORGE WILLIAMS, A PENSIONER—Question, Mr. Arthur O'Connor; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1125

INDIA—THE IRRAWADDY FLOTILLA COMPANY—Questions, Mr. Bradlaugh; Answers, The Under Secretary of State for India (Sir John Gorst) .. 1126

EDUCATION DEPARTMENT—NOTTINGHAM SCHOOL BOARD—Question, Mr. Broadhurst; Answer, The Vice President of the Council (Sir William Hart Dyke) 1126

LAND LAW (IRELAND) ACT, 1881—THE EDENDERRY UNION—FAIR RENTS—Question, Dr. Fox; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1127

ROYAL IRISH CONSTABULARY—STREET ASSEMBLIES—Question, Mr. Schwann; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1127

COUNTY ELECTORS ACT, 1888—DECLARATIONS IN MUNICIPAL BOROUGHS—Question, Mr. Schwann; Answer, The President of the Local Government Board (Mr. Ritchie) 1128

THE PARKS (METROPOLIS)—REFRESHMENT STAND IN THE VICTORIA PARK—Question, Mr. Bradlaugh; Answer, The First Commissioner of Works (Mr. Plunket) 1128

SCOTLAND—LANDLORD AND TENANT—THE SKIBO ESTATE, SUTHERLANDSHIRE—Question, Mr. A. Sutherland; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) 1129

PALACE OF WESTMINSTER—HOUSE OF COMMONS—POLICE ATTENDANCE—Question, Mr. O. V. Morgan; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1129

LAW AND POLICE (IRELAND)—ARRESTS FOR CONSPIRACY—HANDCUFFING—Questions, Mr. T. M. Healy, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Solicitor General for Ireland (Mr. Madden) .. 1130

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 — PRISON REGULATIONS—PICKING OAKUM—Question, Mr. Joicey; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1131

GREENWICH HOSPITAL FUNDS—THE SEAMEN PENSIONER RESERVE—Question, Captain Price; Answer, The First Lord of the Admiralty (Lord George Hamilton) 1131

INDIA—WATER SUPPLY AT RAWUL PINDI—Question, Dr. Tanner; Answer, The Under Secretary of State for India (Sir John Gorst) .. 1132

LAW AND JUSTICE—CORONERS' INQUESTS—REMOVAL OF A CORPSE—Question, Mr. Sydney Buxton; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1132

POOR LAW—PENSIONERS AND ARMY RESERVE MEN—Question, Mr. Legh; Answer, The President of the Local Government Board (Mr. Ritchie) 1133

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 — TRIAL AND SENTENCE ON MR. J. HALPIN FOR THE ENNIS MEETING—COUNTY COURT JUDGE KELLY—Question, Mr. Cox; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1134

POOR LAW (IRELAND)—BALLINASLOE POOR LAW BOARD—Question, Mr. Harris; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1135

POST OFFICE—THE SCOTCH DAY MAILS FOR THE CONTINENT—Question, Mr. Watt; Answer, The Postmaster General (Mr. Raikes) .. 1136

SHOP HOURS REGULATION ACT—OVERWORK AT HACKNEY—Question, Mr. Winterbotham; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1137

ADMIRALTY—HER MAJESTY'S BIRTHDAY AND CORONATION DAY AT THE DOCKYARDS—Question, Mr. Conybeare; Answer, The First Lord of the Admiralty (Lord George Hamilton) 1138

ADMIRALTY—DEVONPORT DOCKYARD—PAY OF LABOURERS—Question, Mr. Conybeare; Answer, The First Lord of the Admiralty (Lord George Hamilton) 1139

RIOTS, &c. (IRELAND)—MR. DILLON, M.P.—DISTURBANCE AT DUNDALK—Questions, Mr. W. O'Brien, Mr. Rowntree; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1140

PRISONS ACT, 1865—EMPLOYMENT OF THE TREADMILL IN PRISONS—Question, Mr. W. A. Macdonald; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1142

GOLD MINES (WALES)—SPECULATIVE LEASES OR LICENCES—RIGHTS OF THE CROWN—Question, Mr. Osborne Morgan; Answer, The Attorney General (Sir Richard Webster) 1142

CRIMINAL LAW (ENGLAND AND WALES)—ROBERT TRAVIS, CONVICTED OF MURDER—COMMUTATION OF SENTENCE—Question, Mr. Swetenham; Answer, The Attorney General (Sir Richard Webster) .. 1143

PARLIAMENTARY UNDER SECRETARY TO THE LORD LIEUTENANT OF IRELAND BILL—Question, Mr. Rendel; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1143

NAVY—SEAMEN OF H.M.S. "ASIA"—PAYMENT OF WAGES—Question, Mr. Conybeare; Answer, The First Lord of the Admiralty (Lord George Hamilton) 1144

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METROPOLITAN BOARD OF WORKS—TRANSFER OF POWERS—Question, Mr. Howell; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1144

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL — Questions, Mr. Summers, Sir Wilfrid Lawson, Mr. Labouchere; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 1145

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 — CONVICTIONS FOR CONSPIRACY—JUDGES' NOTES—Questions, Mr. T. M. Healy; Answers, The Solicitor General for Ireland (Mr. Madden) 1145

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 — IMPRISONMENT OF MEMBERS—Question, Mr. W. A. Macdonald; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1146

CRIMINAL CASES (IRELAND)—INCREASE OF SENTENCES ON APPEAL—THE RETURN—Statement, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1147

BUSINESS OF THE HOUSE—Notice, The First Lord of the Treasury (Mr. W. H. Smith); Question, Mr. W. E. Gladstone; Answer, Mr. W. H. Smith 1147

MOTION.

—o—

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—RESOLUTION—

Moved, "That, in the opinion of this House, the operation of 'The Criminal Law and Procedure (Ireland) Act, 1887,' and the manner of its administration, undermine respect for Law, estrange the minds of the people of Ireland, and are deeply injurious to the interests of the United Kingdom,"—(*Mr. John Morley*) 1148

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. William O'Brien:*)—Question, put, and *agreed to:*—Debate *adjourned* till *To-morrow.*

ORDERS OF THE DAY.

—o—

WAYS AND MEANS—*considered* in Committee—

(In the Committee.)

Moved, "That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1889, the sum of £2,366,400, be granted out of the Consolidated Fund of the United Kingdom,"—(*Mr. Jackson*) .. 1249

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Dr. Tanner:*)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Resolution to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

SUPPLY—REPORT—Resolutions [21st June] *reported* 1251

First Resolution read a second time.

Moved, "That this House doth agree with the Committee in the First Resolution:"—It being Midnight, the Debate stood adjourned:—Debate to be resumed *To-morrow.*

Bail (Scotland) Bill [Bill 286]—

Order for Consideration read 1252

Consideration, as amended, *deferred* till *To-morrow.*

Waltham Abbey Gunpowder Factory Bill [Bill 273]—

Order for Second Reading read 1252

Second Reading *deferred* till *To-morrow.*

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Coroners' Elections Bill [Bill 178]—
Order for Second Reading read 1252
Second Reading *deferred* till *To-morrow*.

MOTIONS.

Legal Business of the Government—
Moved, "That there be laid before this House Copy of the Report of the Committee appointed by the Treasury to inquire into the system of conducting the Legal Business of the Government,"—(*Mr. Jackson*) 1253
Question put, and *agreed to*:—Copy *presented* accordingly; to lie upon the Table, and to be printed. [No. 239.]

Buildings (Metropolis) Bill—*Ordered* (*Mr. Whitmore, Mr. Tatton Egerton, Sir Algernon Borthwick, Mr. Lawson, Mr. Forrest Fulton*); *presented*, and read the first time [Bill 305] 1253

Intoxicating Liquors (New Licences) Bill — *Ordered* (*Sir William Houldsworth, Mr. W. F. Lawrence, Colonel Bridgeman, Mr. Hobhouse, Mr. Samuel Smith*); *presented*, and read the first time [Bill 306] 1253

Perpetuity Leases (Ireland) Bill—*Ordered* (*Mr. T. W. Russell, Mr. Lea, Mr. W. P. Sinclair*); *presented*, and read the first time [Bill 307] 1253

Adjournment—
Moved, "That this House do now adjourn,"—(*Mr. Jackson*) .. 1253
Question put, and *agreed to*. [12.15.]

LORDS, TUESDAY, JUNE 26.

Zululand—Recent Disturbances—Question, The Earl of Kimberley; Answer, The Secretary of State for the Colonies (Lord Knutsford) .. 1255

Factory and Workshops Act (1878) Amendment (Scotland) Bill (No. 76)—
House in Committee (according to Order) 1255
Amendments made; the Report thereof to be received on *Thursday*] the *5th of July* next.

Parliament—Evidence before Select Committees—Observations, Lord Clinton, The Earl of Kimberley; Reply, The Lord President of the Council (Viscount Cranbrook) 1257

Suffragans' Nomination Bill (No. 176)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1263
Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

Companies Clauses Consolidation Act (1845) Amendment Bill (No. 170)—
Moved, "That the Bill be now read 2ª,"—(*The Earl of Rosebery*) .. 1263
Motion *agreed to*:—Bill read 2ª accordingly.

High Courts in India Bill [H.L.]—*Presented* (*The Viscount Cross*); read 1ª (No. 184) 1263 [5.15.]

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COMMONS, TUESDAY, JUNE 26.

QUESTIONS.

MUNICIPAL BOROUGHS (IRELAND)—THE BALLINASLOE AGRICULTURAL HALL—Questions, Mr. Harris; Answers, The Solicitor General for Ireland (Mr. Madden) 1264

HOUSE OF COMMONS—VENTILATION OF THE LADIES' GALLERY—Question, Mr. Webster; Answer, The First Commissioner of Works (Mr. Plunket) 1265

WAR OFFICE—EMPLOYMENT OF RETIRED MEDICAL OFFICERS—Question, Dr. Tanner; Answer, The Secretary of State for War (Mr. E. Stanhope) 1265

NATIONAL EDUCATION (IRELAND)—NATIONAL SCHOOL TEACHERS—EXAMINATION OF CANDIDATES—Question, Mr. P. M'Donald; Answer, The Solicitor General for Ireland (Mr. Madden) 1266

TURKEY (ASIATIC PROVINCES)—ARMENIA—ARRESTS—Questions, Mr. Bryce; Answers, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1266

ROYAL IRISH CONSTABULARY—INSTRUCTIONS AS TO THE ADMISSION OF THE PUBLIC TO COURT-HOUSES—Questions, Mr. Flynn; Answers, The Solicitor General for Ireland (Mr. Madden) 1267

THE MAGISTRACY (IRELAND)—COMPLAINT AGAINST RESIDENT MAGISTRATES—Questions, Mr. Flynn, Mr. Mac Neill; Answers, The Solicitor General for Ireland (Mr. Madden) 1268

POST OFFICE (IRELAND)—FEMALE TELEGRAPH LEARNERS, DUBLIN—EXAMINATION—Question, Mr. W. O'Brien; Answer, The Postmaster General (Mr. Raikes) 1270

RIOTS, &c. (IRELAND)—THE AFFRAY AT MITCHELSTOWN IN SEPTEMBER LAST—COMPENSATION TO A POLICEMAN—Questions, Mr. W. O'Brien, Mr. T. M. Healy; Answers, The Solicitor General for Ireland (Mr. Madden) 1270

ARMY (IRELAND)—AUXILIARY FORCES—SLIGO ARTILLERY MILITIA—EQUIPMENTS—Questions, Mr. P. M'Donald, Colonel Waring; Answers, The Secretary of State for War (Mr. E. Stanhope) 1271

INLAND REVENUE (IRELAND)—PUBLICANS' LICENCES—ENNIS QUARTER SESSIONS—Question, Mr. P. M'Donald; Answer, The Solicitor General for Ireland (Mr. Madden) 1272

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—CLAUSE 120, SUB-SECTION 2—MAIN ROADS (METROPOLIS)—Question, Mr. Cremer; Answer, The President of the Local Government Board (Mr. Ritchie) .. 1273

WAR OFFICE (CONTRACTS)—ARMY ACCOUTREMENTS—Questions, Mr. Cremer, Mr. Hanbury; Answers, The Secretary of State for War (Mr. E. Stanhope) 1273

LITERATURE, SCIENCE, AND ART—THE ROYAL NORMAL SCHOOL OF SCIENCE—THE PHYSICAL LABORATORY—Question, Sir Henry Roscoe; Answer, The First Commissioner of Works (Mr. Plunket) 1274

IMPERIAL DEFENCES—BERMUDA—CABLE COMMUNICATION—Questions, Sir Edward Watkin; Answers, The Postmaster General (Mr. Raikes) .. 1275

COMMISSIONERS OF IRISH LIGHTS—TORY ISLAND LIGHTHOUSE—TELEGRAPHIC COMMUNICATION WITH THE MAINLAND—Question, Sir Edward Watkin; Answer, The President of the Board of Trade (Sir Michael Hicks-Beach) 1275

EXCISE DUTIES (LOCAL PURPOSES) BILL—THE VAN AND WHEEL TAX—Question, Sir Ughtred Kay-Shuttleworth; Answer, The President of the Local Government Board (Mr. Ritchie) 1276

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PUBLIC OFFICES—THE RECEIVER AND ACCOUNTANT GENERAL'S OFFICE—ANNUAL LEAVE—Question, Mr. Pickersgill; Answer, The Postmaster General (Mr. Raikes) 1276

LUNACY ACTS—COLNEY HATCH ASYLUM—TREATMENT OF INMATES—Question, Mr. W. Redmond; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1276

ARMY—PRELIMINARY EXAMINATIONS—ERRORS IN EXAMINATION PAPERS—Question, Colonel Duncan; Answer, The Secretary to the Treasury (Mr. Jackson) 1277

THE MAGISTRACY (IRELAND)—RESIDENT MAGISTRATES—APPOINTMENTS—Question, Mr. T. M. Healy; Answer, The Solicitor General for Ireland (Mr. Madden) 1278

ULSTER CANAL AND TYRONE NAVIGATION BILL—Questions, Mr. T. M. Healy; Answers, The Secretary to the Treasury (Mr. Jackson) .. 1279

PARLIAMENTARY ELECTIONS—PARTY AGENTS—ELIGIBILITY OF CLERKS OF THE PEACE OR COUNTY TREASURERS—Question, Mr. P. Stanhope; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1279

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—JUDGMENTS IN THE KILLEAGH CASE—SHORTHAND WRITER'S NOTES—Questions, Mr. T. M. Healy, Sir William Harcourt, Mr. Anderson, Mr. Sexton; Answers, The Solicitor General for Ireland (Mr. Madden), The First Lord of the Treasury (Mr. W. H. Smith) 1280

EAST INDIA (MR. W. TAYLER, OF PATNA)—Question, Mr. J. M. Maclean; Answer, The Under Secretary of State for India (Sir John Gorst) .. 1284

THE MAGISTRACY (IRELAND)—MR. CULLEN, DIVISIONAL MAGISTRATE, DUNDALK—Question, Mr. M'Cartan; Answer, The Solicitor General for Ireland (Mr. Madden) 1285

INLAND FISHERIES (SCOTLAND)—ASSAULT AT ST. BOSWELL'S—Questions, Mr. A. L. Brown; Answers, The Lord Advocate (Mr. J. H. A. Macdonald) 1285

FINANCE, &C.—SCOTCH CONTRIBUTIONS TO THE EXCHEQUER—Question, Mr. Mark Stewart; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1287

AFRICA (CENTRAL)—CONSUL JOHNSTON, OF OPOBO—Question, Mr. W. Redmond; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) 1287

LAND LAW (IRELAND) ACT, 1881—CASE OF "OWEN WYNNE, LANDLORD, *v.* JAMES M'KEOWN," MANORHAMILTON—Question, Mr. Conway; Answer, The Solicitor General for Ireland (Mr. Madden) 1288

LAND LAW (IRELAND) ACT, 1881—CASE OF "SARAH MAGUIRE *v.* OWEN WYNNE," MANORHAMILTON—Question, Mr. Conway; Answer, The Solicitor General for Ireland (Mr. Madden) 1289

BUSINESS OF THE HOUSE—Questions, Mr. Howorth, Mr. Bradlaugh; Answers, The First Lord of the Treasury (Mr. W. H. Smith) .. 1289

SMALL HOLDINGS—THE SELECT COMMITTEE—Question, Mr. Anderson; Answer, The First Lord of the Treasury (Mr. W. H. Smith) .. 1290

MOTIONS.

—o—

NOTICES OF MOTION AND ORDERS OF THE DAY—

Ordered, That the Order for resuming the Adjourned Debate on the Motion relating to "The Criminal Law and Procedure (Ireland) Act, 1887," have precedence this day of the Notices of Motion and other Orders of the Day,—(*Mr. William Henry Smith.*)

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SITTINGS OF THE HOUSE—SUSPENSION OF THE STANDING ORDER—

Ordered, That the proceedings on the Motion relating to "The Criminal Law and Procedure (Ireland) Act, 1887," if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House,"—(*Mr. William Henry Smith.*)

ORDERS OF THE DAY.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—RESOLUTION [ADJOURNED DEBATE]—

Order read, for resuming Adjourned Debate on Question [25th June:]—Question again proposed:—Debate *resumed* 1290

After long debate, Question put:—The House *divided;* Ayes 273, Noes 366; Majority 93.

Division List, Ayes and Noes 1413

Parliamentary Franchise (Extension to Women) Bill [Bill 11]

Moved, "That the Bill be read a second time on Friday" .. 1418

Question put, and *agreed to*:—Second Reading *deferred* till *Friday.*

County Courts (Ireland) Bill [Bill 166]—

Order for Second Reading read 1419

Second Reading *deferred* till *Monday* next.

Consolidated Fund (No. 2) Bill—

Moved, "That the Bill be now read the third time,"—(*Mr. Jackson*) .. 1419

After short debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Biggar:*)—After further short debate, Question put, and *agreed to*:—Debate *adjourned* till *Thursday.* [1.40.]

COMMONS, WEDNESDAY, JUNE 27.

PRIVATE BUSINESS.

Channel Tunnel (Experimental Works) Bill (by Order)—

Moved, "That the Bill be now read a second time,"—(*Sir Edward Watkin*) 1426

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Sir Michael Hicks-Beach.*)

Question proposed, "That the word 'now' stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 165, Noes 307; Majority 142.

Division List, Ayes and Noes 1502

Words *added*:—Main Question, as amended, put, and *agreed to*:—Second Reading *put off* for three months.

[*June* 27.]

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ORDERS OF THE DAY.

—o—

Libel Law Amendment Bill [Bill 294]—

Moved, "That the Bill be now read the third time" 1506

Question put, and *agreed to*:—Bill read the third time, and *passed*.

Oaths Bill [Bill 7]—

Bill *considered* in Committee [*Progress 20th June*] 1507

After short time spent therein, it being half after Five of the clock, the Chairman left the Chair to make his report to the House:—Committee report Progress; to sit again upon *Wednesday* 4th July.

MOTION.

—o—

Statute Law Revision (Master and Servant) Bill—*Ordered* (*Mr. Howell, Sir Henry James, Mr. Mundella, Mr. William Hunter, Mr. T. M. Healy, Mr. Hoyle, Mr. Fenwick*); *presented*, and read the first time [Bill 310] 1511

[5.45.]

LORDS, THURSDAY, JUNE 28.

EDUCATION—REPORT OF THE ROYAL COMMISSION—PREMATURE PUBLICATION—Observations, The Secretary of State for India (Viscount Cross) .. 1512

HOUSE OF LORDS (LIFE PEERS) BILL—Question, Earl Beauchamp; Answer, The Prime Minister and Secretary of State for Foreign Affairs (The Marquess of Salisbury) 1513

Habitual Drunkards Act (1879) Amendment (No. 2) Bill—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Aberdeen*) .. 1513

Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

Companies Bill (No 153)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1514

After short debate, Motion *agreed to*:—Bill read 2ª accordingly.

Timber Acts (Ireland) Amendment Bill (No. 69)—

House in Committee (according to Order) 1522

Amendments made; the Report thereof to be received *To-morrow*; and Bill to be *printed*, as amended. (No. 188.)

Limited Partnerships Bill (No. 159)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Bramwell*) .. 1523

Motion *agreed to*:—Bill read 2ª accordingly.

IMPERIAL DEFENCES — DEFENCE OF ESQUIMAULT HARBOUR — Question, Observations, Lord Sudeley; Reply, The Secretary of State for the Colonies (Lord Knutsford) 1524

[6.45.]

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COMMONS, THURSDAY, JUNE 28.

PRIVATE BUSINESS.

—o—

Vauxhall Park Bill (by Order)—

Moved, "That the Bill be now read the third time" 1527

Question put, and *agreed to*:—Bill read the third time, and *passed*.

Brixton Park Bill (by Order)—

Bill, as amended, *considered* 1528

After short debate, Bill to be read the third time.

QUESTIONS.

—o—

Land Law (Ireland) Act, 1881—Section 19—Labourers' Dwellings—Applications—Question, Sir Charles Lewis; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1541

Admiralty—The Channel Fleet—Belfast Lough—Anchorage in Bangor Bay—Question, Captain M'Calmont; Answer, The Secretary to the Admiralty (Mr. Forwood) 1542

War Office—5th Battalion Royal Fusiliers—Major Roe—Question, Mr. Dixon-Hartland; Answer, The Secretary of State for War (Mr. E. Stanhope) 1543

Pharmacy Bill—Accidental Poisoning at Lewisham—Question, Dr. Farquharson; Answer, The Vice President of the Council (Sir William Hart Dyke) 1544

Poor Law (Ireland)—Cork Board of Guardians—Case of William Robinson—Questions, Mr. Maurice Healy; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1544

India—The Sikkim Expedition—Military Operations—Deaths of Colonel Battye and Captain Urmston—Question, Sir Edward Watkin; Answer, The Under Secretary of State for India (Sir John Gorst) 1545

The Parks (Metropolis)—Richmond Park—The Proposed Volunteer Camp—Questions, Mr. Kimber, Major Rasch; Answers, The First Commissioner of Works (Mr. Plunket), The First Lord of the Treasury (Mr. W. H. Smith) 1546

The Civil Service—Registration of Retired Civil Servants—Question, Mr. Kimber; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1547

Poor Law (Ireland)—Kilkenny Dispensary District—Question, Mr. Marum; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1547

Irish Land Commission—Fair Rent Applications, Ballycastle Union—Questions, Mr. M'Cartan, Mr. Maurice Healy, Mr. W. Redmond; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour), The First Lord of the Treasury (Mr. W. H. Smith) 1548

Irish Land Commission—Sub-Commission—Sittings in Keady—Questions, Mr. M'Cartan, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 1550

Irish Land Commissioners—Sub-Commissioners for Westmeath—Questions, Mr. Tuite; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1551

Irish Land Commission—Appeals Listed at Belfast—Questions, Mr. T. M. Healy, Mr. Maurice Healy; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1552

Law and Justice (Ireland)—Alleged Insurance Frauds at Belfast—Question, Mr. Tuite; Answer, The Solicitor General for Ireland (Mr. Madden) 1553

Parliamentary Franchise (Ireland)—Disqualification of Voters by Medical Relief—Question, Sir Thomas Esmonde; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1554

Parliamentary Franchise (Ireland)—South-West Division of Dublin—Revision Courts—Question, Sir Thomas Esmonde; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1554

Royal Irish Constabulary—Constable Curry—Question, Sir Thomas Esmonde; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1554

Customs and Inland Revenue Act, 1888—Remission of Penalties—Question, Mr. Whitley; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1555

Evictions (Ireland)—Eviction of Hugh Bogue—Alleged Harshness—Question, Mr. W. Redmond; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour); Question, The Lord Mayor of Dublin (Mr. Sexton) [No reply] 1555

South Africa—Zululand—Question, Mr. W. Redmond; Answer, The Under Secretary of State for the Colonies (Baron Henry de Worms) .. 1556

South Africa—Zululand—Questions, Sir George Baden-Powell, Mr. W. Redmond; Answers, The Under Secretary of State for the Colonies (Baron Henry de Worms) 1556

Law and Police (Ireland)—Refusal of Refreshment to Travellers—Case of Mr. Noud, of Roscommon—Question, Dr. Commins; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) .. 1558

War Office—The Superintendent of the Carriage Department, Woolwich Arsenal—Question, Mr. Bradlaugh; Answer, The Secretary of State for War (Mr. E. Stanhope) 1558

Board of Customs—The Secretary and Surveyor General—Question, Mr. Arthur O'Connor; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1559

War Office—Army Contracts—Supply of Accoutrements—Questions, Mr. Hanbury; Answers, The Secretary of State for War (Mr. E. Stanhope) 1560

Sugar Manufacture—New Zealand—Question, Mr. Summers; Answer, The Under Secretary of State for the Colonies (Baron Henry de Worms) 1561

Prevention of Crime (Ireland) Act, 1882—Mr. Peter Sweeny—Question, Mr. Sheehy; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1562

Education Department — Universities and Colleges — Financial Condition—Question, Sir Henry Roscoe; Answer, The Vice President of the Council (Sir William Hart Dyke) 1563

Land Law (Ireland) Act, 1887—Section 29—Adjustment of Rents—Question, Mr. M'Cartan; Answer, The Solicitor General for Ireland (Mr. Madden) 1563

Riots, &c. (Ireland)—Disturbance at Dundalk Railway Station—Questions, Mr. M'Cartan, Mr. Nolan, The Lord Mayor of Dublin (Mr. Sexton), Mr. T. C. Harrington; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1564

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PRISONS (IRELAND)—MR. JOHN DILLON, M.P.—Questions, Mr. W. H. James, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1566

LAW AND JUSTICE — COURTS OF SUMMARY JURISDICTION — PRISONERS AWAITING TRIAL—Question, Mr. Fielden; Answer, The Secretary of State for the Home Department (Mr. Matthews) 1566

LAW AND JUSTICE (ENGLAND AND WALES) — THE MIDLAND SUMMER ASSIZES—AYLESBURY AND LEICESTER—Question, Mr. Cobb; Answer, The Secretary of State for the Home Department (Mr. Matthews) .. 1567

POST OFFICE—LETTERS OF IRISH MEMBERS—Questions, Sir Thomas Esmonde; Answers, The Postmaster General (Mr. Raikes) .. 1568

ROYAL COLLEGE OF SURGEONS OF ENGLAND—A SUPPLEMENTAL CHARTER—Question, Lord Randolph Churchill; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1568

PUBLIC OFFICIALS — DISCLOSURE OF OFFICIAL SECRETS — Question, Mr. Hanbury; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1569

PERPETUAL PENSIONS—Question, Mr. Bradlaugh; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1570

CIVIL LIST PENSIONS—LITERARY PENSIONERS—Questions, Mr. Summers, Mr. Johnston; Answers, The First Lord of the Treasury (Mr. W. H. Smith) 1570

THE ROYAL COMMISSION ON EDUCATION—THE REPORT—PREMATURE DISCLOSURE—Questions, Mr. Mundella, Mr. Picton, Mr. J. G. Talbot, Mr. Illingworth; Answers, The Secretary of State for the Home Department (Mr. Matthews) 1571

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—JUDGMENT IN THE KILLEAGH CASE—SHORTHAND WRITER'S NOTES—Questions, The Lord Mayor of Dublin (Mr. Sexton), Sir William Harcourt; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour), The Chancellor of the Exchequer (Mr. Goschen) 1572

BUSINESS OF THE HOUSE—Questions, Mr. John Morley, Mr. Labouchere, Mr. T. E. Ellis; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour), The First Lord of the Treasury (Mr. W. H. Smith) .. 1574

ORDERS OF THE DAY.

—o—

Local Government (England and Wales) Bill [Bill 182]—

Bill *considered* in Committee [*Progress 22nd June*] [TENTH NIGHT] .. 1574

After long time spent therein, it being Midnight, the Chairman left the Chair to make his report to the House:—Committee report Progress; to sit again *To-morrow*, at Two of the clock.

Merchant Shipping (Life Saving Appliances) Bill [*Lords*]—

Order for Second Reading read 1671

After short debate, Second Reading *deferred* till *To-morrow*, at Two of the clock.

Life Leases Conversion Bill [Bill 99]—

Order for Second Reading read, and *discharged*:—Bill *withdrawn*.

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SUPPLY [21ST JUNE]—

Order read for resuming Adjourned Debate on Question [25th June] .. 1673
Question put, and *agreed to.*
Subsequent Resolutions again read.
Second and Third Resolutions *postponed.*
Fourth Resolution *agreed to.*
Postponed Resolutions to be taken into consideration upon *Monday* 2nd July.

MOTIONS.

WAYS AND MEANS)
Consolidated Fund (No. 3) Bill) Resolution [25th June] *reported*, and *agreed to* :—
Bill *ordered* (*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson*) .. 1673

ADJOURNMENT—
Moved, "That this House do now adjourn,"—(*Mr. Jackson*) .. 1673
Question put, and *agreed to.* [12.10.]

LORDS, FRIDAY, JUNE 29.

Reformatory and Industrial Schools—
Bill to consolidate and amend the enactments relating to Reformatory and Industrial Schools in England and Wales,—*Presented* (*The Lord Norton*) 1674
After short debate, Bill read 1ª. (No. 194.)

IMPERIAL DEFENCE—ORGANIZATION OF OUR NAVAL AND MILITARY SYSTEM —POSSIBILITY OF INVASION—RESOLUTION—
Moved to resolve,
"That having regard to the recent statements of His Royal Highness the Commander-in-Chief, of the Adjutant General, and of high naval authorities, as to our defective armaments, and having also regard to the increased armaments of foreign nations on sea and land, this House welcomes the proposals of Her Majesty's Government for an increase of our defensive means, and confidently looks to their forthwith taking such further measures as will give ample security to our Empire and just confidence to the country,"—(*The Earl of Wemyss*) 1677
After debate, Motion *agreed to.*

Patents, Designs, and Trade Marks Bill [H.L.]—*Presented* (*The Earl of Onslow*); read 1ª (No. 193) 1711

ELECTIONS (INTERVENTION OF PEERS AND PRELATES IN PARLIAMENTARY ELECTIONS)—
Select Committee *nominated* :—List of the Committee 1711
[7.45.]

COMMONS, FRIDAY, JUNE 29.

QUESTIONS.

CEYLON—GOLD DISCOVERIES—Question, Mr. Macdonald Cameron; Answer, The Under Secretary of State for India (Sir John Gorst) .. 1711
PUBLIC HEALTH (SCOTLAND) ACT—THE BURGH OF TAIN—Question, Mr. Macdonald Cameron; Answer, The Solicitor General for Scotland (Mr. J. P. B. Robertson) 1712

INLAND REVENUE — EXEMPTION FROM THE INHABITED HOUSE DUTY—Question, Mr. W. H. James; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1713

CONTAGIOUS DISEASES (ANIMALS) ACTS—IMPORTATION OF DUTCH CATTLE AND SHEEP—Question, Mr. Montagu; Answer, Viscount Lewisham .. 1713

IRISH LAND COMMISSION—APPEALS AT DUNDALK—Questions, Mr. M'Cartan, Mr. Maurice Healy; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1714

INDIA—THE UNCOVENANTED CIVIL SERVANTS—PAYMENT OF PENSIONS—Question, Mr. King; Answer, The Under Secretary of State for India (Sir John Gorst) 1715

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL — SUPERANNUATION AND PENSION OF THE POLICE FORCE—Question, Mr. Stanley Leighton; Answer, The President of the Local Government Board (Mr. Ritchie) 1716

EAST INDIA—MR. TAYLER, EX-COMMISSIONER OF PATNA—Questions, Sir Roper Lethbridge; Answers, The Under Secretary of State for India (Sir John Gorst) 1716

THE MAGISTRACY (IRELAND) — RESIDENT MAGISTRATES — Question, Mr. J. E. Ellis; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1717

THE MAGISTRACY (IRELAND)—COUNTY COURT JUDGES—Questions, Mr. J. E. Ellis; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1718

THE METROPOLITAN BOARD OF WORKS—THE ISLE OF DOGS—RAIN FLOODS—Question, Mr. Sydney Buxton; Answer, Mr. Tatton Egerton .. 1718

INLAND REVENUE—REMISSION OF PENALTIES ON STAMPING INSTRUMENTS—Question, Mr. Maurice Healy; Answer, The Chancellor of the Exchequer (Mr. Goschen) 1719

EDUCATION DEPARTMENT (SCOTLAND) — SENIOR SCHOOL INSPECTORS — APPOINTMENT OF MR. STEWART—Question, Mr. Caldwell; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) 1720

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 — PROCEEDINGS AGAINST CORNELIUS CURTAIN AND OTHERS—THE DUBLIN COURT OF EXCHEQUER—Questions, Mr. John Morley, Mr. T. C. Harrington, Mr. Bradlaugh; Answers, The Solicitor General for Ireland (Mr. Madden), The Chief Secretary for Ireland (Mr. A. J. Balfour) 1720

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 (PERSONS PROCEEDED AGAINST, &c.)—Questions, Mr. John Morley, Mr. Maurice Healy, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour) 1724

LAW AND JUSTICE (IRELAND)—CONVICTION OF JOHN DILLON, M.P.—THE "PLAN OF CAMPAIGN"—Questions, Mr. James Stuart, Mr. Maurice Healy, The Lord Mayor of Dublin (Mr. Sexton); Answers, The Solicitor General for Ireland (Mr. Madden), The Chief Secretary for Ireland (Mr. A. J. Balfour) 1725

EAST INDIA (CONTAGIOUS DISEASES ACTS)—Question, Mr. James Stuart; Answer, The Under Secretary of State for India (Sir John Gorst) .. 1727

RULES AND ORDERS OF THIS HOUSE—DIVISIONS—Question, Dr. Farquharson; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1728

HOUSE OF COMMONS—THE DEBATES OF THIS HOUSE—LENGTH OF SPEECHES—Question, Mr. Sydney Buxton; Answer, The First Lord of the Treasury (Mr. W. H. Smith) 1728

BUSINESS OF THE HOUSE—Observations, The First Lord of the Treasury (Mr. W. H. Smith) 1729

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ORDERS OF THE DAY.

Local Government (England and Wales) Bill [Bill 182]—
Bill *considered* in Committee [*Progress 28th June*] [Eleventh Night] .. 1730
After long time spent therein, Committee report Progress; to sit again upon *Tuesday* 3rd July, at Two of the clock.

MOTION.

Legitim Law Amendment (Scotland) Bill—*Ordered* (*Mr. Donald Crawford, Mr. John Balfour, Mr. Buchanan*); *presented*, and read the first time [Bill 311] .. 1792

It being ten minutes to Seven of the clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

Ways and Means—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Agricultural Tenantry (Wales)—Resolution—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "having regard to the special circumstances of Wales, and the prevailing agricultural depression, and their effect upon the welfare of the Welsh people, this House is of opinion that Her Majesty's Government should pay immediate attention to the subject, and take steps to provide a measure of relief which shall secure fairer conditions of tenure and a re-adjustment of rent, more equitably corresponding to the fall in prices, and make such other provisions as will enable the cultivators of the soil to meet the trying circumstances in which they are placed,"—(*Mr. Thomas Ellis,*)—instead thereof 1792

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 146, Noes 128; Majority 18.—(Div. List, No. 182.)

Main Question again proposed, "That Mr. Speaker do now leave the Chair:"—

Public Works (Ireland)—Observations, Colonel Nolan; Reply, The Chief Secretary for Ireland (Mr. A. J. Balfour); Observations, Mr. Edward Harrington 1844

It being One of the clock, Mr. Speaker adjourned the House without Question put till *Monday* next.

LORDS.

SAT FIRST.

Tuesday, June 19.

The Lord Hatherton, after the death of his father.

Friday, June 22.

The Lord Hawke, after the death of his father.

COMMONS.

NEW WRITS ISSUED.

Friday, June 15.

For *Kent* (*Isle of Thanet Division*), *v.* The Right hon. Edward Robert King-Harman, deceased.

Friday, June 22.

For *Longford* (*South Longford Division*), *v.* Lawrence Connolly, esquire, Chiltern Hundreds.

Thursday, June 28.

For *South Sligo*, *v.* Edward Joseph Kennedy, esquire, Chiltern Hundreds.

NEW MEMBER SWORN.

Tuesday, June 19.

Ayr District of Burghs—John Sinclair, esquire.

HANSARD'S
PARLIAMENTARY DEBATES,

IN THE

Third Session OF THE *Twenty-Fourth Parliament* OF THE UNITED KINGDOM OF *Great Britain* AND *Ireland*, APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SIXTH VOLUME OF SESSION 1888.

HOUSE OF COMMONS,

Wednesday, 13th June, 1888.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Rights of Way (Scotland) * [296].

Committee—Oaths [7]—R.P.; Marriage with a Deceased Wife's Sister [2], *debate adjourned*; Partnerships [206]—R.P.

Committee — Report — Libel Law Amendment [17-294]; Reformatory Schools Act (1866) Amendment [161-295].

PROVISIONAL ORDER BILLS — *Considered as amended*— Gas and Water * [247]; Water (No. 2) * [246].

Third Reading—Gas (No. 2) * [245]; Local Government (Highways) * [258]; Local Government (No. 7) * [267]; Local Government (Port) * [259], and *passed*.

PRIVATE BUSINESS.

—o—

ENNISKILLEN, BUNDORAN, AND SLIGO RAILWAY BILL [REPAYMENT OF DEPOSIT].

COMMITTEE.

MATTER—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorise the repayment of the sum of Three thousand two hundred and seventy-five pounds Three pounds per Centum Consolidated Annuities, being the sum deposited in respect of the application to Parliament for 'The Enniskillen, Bundoran, and Sligo Railway (Donegal Extension) and Enniskillen and Bundoran Extension Railway (Abandonment) Act, 1879,' which in pursuance of section thirty-six of that Act is now forfeited, together with any interest or dividends thereon."

MR. JORDAN (Clare, W.) said, he hoped that care would be taken to see that all the provisions of the Act were fully complied with by those who were promoting this Bill. He had no objection to its passing through the present stage; but he thought the Committee ought to have some assurance that all the necessary notices had been duly served.

Question put, and *agreed to.*

Resolution to be reported *To-morrow.*

ORDERS OF THE DAY.

—o—

LIBEL LAW AMENDMENT BILL.

(*Sir Algernon Borthwick, Sir Albert Rollit, Mr. Lawson, Mr. Jennings, Dr. Cameron, Mr. John Morley, Mr. E. Dwyer Gray.*)

[BILL 17.] COMMITTEE.

[*Progress 6th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 5 (Where defendant in action for libel has raised plea under s. 2 of 6 & 7 Vict. c. 96, only special damage to be recovered in certain cases. 6 & 7 Vict. c. 96, s. 2).

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. ADDISON (Ashton-under-Lyne) said, that he was altogether in favour of the principle of the clause; but he thought it required a few words by way of explanation; because from what fell from his hon. and learned Friend the Member for South Hackney (Sir Charles Russell), the last time they were considering the Bill, he did not think that its meaning was thoroughly understood. By the section referred to in the clause —namely, s. 2, 6 & 7 *Vict.* where a libel had really worked no damage, three things were necessary before an editor could get a verdict. He must prove those three things himself, and if he failed in any one of them the case went against him. First of all, he must show that there had been no negligence in inserting the libel; secondly, that an apology such as the Act required had been made; and, thirdly, he must pay into Court a certain some of money. This section sought to do away with that part of the plea which required the payment of money into Court, and to say that it would really be a good plea without the third requirement. It was obvious that the justice of this provision would be manifest to the Committee when he said that news was circulated by means of news agencies, and that it frequently happened that the person who complained had sustained no injury at all. Why should not the editor be permitted to show that there had been no damage, that a mistake had been made, for which he apologized, and that there had been no negligence as far as he was concerned? In that case, why should he have to pay a sum of money into Court? The Committee would be aware that the news circulated by the news agencies, with which every hon. Member must necessarily be familiar, was inserted in a great number of newspapers, and in many instances, although a mistake might have been committed, the person complaining had suffered no real injury at all. This clause provided that in such cases the editor should prove the first of the pleas, and show that no damage had been sustained. The mischief of having to pay money into Court was that it made his position that there had been no damage untenable. He practically admitted that he had done something wrong; because, although he justified what had been done, he said that there must have been some measurable damage sustained, or it would not be necessary to pay anything into Court. When a sum of, say £5, was paid into Court, the jury naturally said—"The defendant admits that he has injured the plaintiff to the extent of £5;" and that being so, they would estimate the damage at probably more than that sum, and find the verdict accordingly. That was the practical effect of requiring the payment of a sum of money into Court. Where a man had not been damaged in any way whatever, why should not the defendant be able to say—"I certainly put this paragraph in my paper; there was no negligence, but a sort of inadvertence, if the word may be used, similar to that which must necessarily occur in carrying on the business of life, even without negligence. I have done all I can in the way of making an apology. You have not been injured in the least, and where a man has not been injured, why on earth should I have to pay money into Court." It appeared to him that in principle the clause was right; because in a great many other matters besides

this something wrong might have been done, and yet no actual injury inflicted. For instance, a Hansom cab might drive so close to him as to put him into a fright; but he could not bring that action, as he had not been hurt. Why, in that case, should persons who trade in those sort of actions be treated differently? Why should not the jury be allowed to say to them—"Even if a wrong has been committed upon you, you have suffered no damage from it." If the editor had behaved as a respectable man ought to behave, he should be allowed to plead that the plaintiff had sustained no injury. That was the simple action of the clause.

MR. RADCLIFFE COOKE (Newington, W.) said, that his objection to the clause was contained in the last part of the 1st paragraph, which provided that if—

> "The defendant has inserted an apology, as by the said Act provided, the plaintiff shall not be entitled to recover any damages except such special damages as he can prove that he has sustained by the publication of such libel."

He agreed with all that his hon. and learned Friend the Member for Ashton-under-Lyne (Mr. Addison) had said, and considered it desirable that the 2nd section of the existing Act, 6 and 7 *Vict.*, should be repealed. But there might be cases in which general damage might have been sustained by the person libelled, which such person, from the position he occupied or his professional interests, could not prove to have done him any material damage in the sense of sustaining a material loss of income, or in any other way. That might frequently occur if a man were not engaged in carrying on a trade. At the same time he might be injured in his reputation and general character in his own neighbourhood, and for that injury it was right that the person who inflicted it should give him compensation in the only way in which it could be given by a stranger—that was to say, by a money payment. He understood that his hon. Friend in charge of the Bill (Sir Algernon Borthwick) would have something to say on that point, and would propose an Amendment. He thought it was desirable, before the Committee came to a decision as to whether they should omit the clause or not, they should hear what his hon. Friend had to say on the subject.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, the point was this: as the clause was framed, it proposed that a plaintiff should not be entitled to any damages unless he could prove special damage. It appeared to him, now that the matter had been discussed, that there might be cases in which a person had been seriously libelled, and would not be able to prove special damages—as, for instance, in the case of a small tradesman who was accused of fraud, or of some sharp practice, but who was not able to show that he had lost custom in consequence. He thought that was hardly a case in which a Committee should say that the person libelled should get no damages unless he could prove that he had suffered special damages, assuming, of course, that the newspaper proprietor could show that he had not been guilty of malice or of gross negligence. He was anxious to give the promoters all the assistance in his power, provided that its provisions did not go beyond what he personally deemed to be just. He would, therefore, ask the promoters of the measure whether it would not be as well to consider whether some limits should not be proposed, otherwise there was a strong argument against the clause in connection with this question of proving special damage. He thought it was possible that the clause might be amended, either by limiting the amount of damages or in some other way. As it stood, it clearly went too far.

SIR ALGERNON BORTHWICK (Kensington, S.) said, that this was really a question of costs.

SIR RICHARD WEBSTER said, that that was so; it was now held that if the defendant was to get a verdict, there was no power to make him pay any costs at all. There was no power at the present moment to make the defendant pay costs where the judgment passed in his favour. Therefore, the hon. Baronet was perfectly right in saying that the Bill would not affect the case where a judgment was given for the defendant. The Court, however, had the discretion where the judgment was given for the plaintiff. If the judgment passed for the defendant on the two issues of absence of malice and absence of negligence, the plaintiff, although libelled, and justified in bringing the action, would get no costs.

MR. DARLING (Deptford) said, that he had handed in an Amendment that morning, and though he understood that it would not be in Order to move it at that stage, he should vote for the clause if it were passed, with the intention of moving his Amendment at the proper time. That Amendment was to omit the last words of the paragraph, and to add at the end, that a defendant should be entitled to judgment, unless the plaintiff should recover a verdict of 40*s.* damages at the least. The effect of that Amendment would be this—suppose a plaintiff went into Court and failed to prove that the libel had been published with malice or negligence, and it also appeared that the defendant had inserted an apology; in that case, although the plaintiff might get a technical verdict, yet, if it were for anything less than 40*s.* it would not entitle him to what that verdict would otherwise bring. Where the defendant had published an apology and showed that there had been no negligence and that no damage had been sustained, unless the plaintiff got more than 40*s.* awarded as damages, the plaintiff would not get a judgment that would entitle him to recover costs. That appeared to him to meet the objection of the hon. and learned Attorney General, and he should have been glad if that proposal, consistently with the Rules of the House, could have been put. As he understood that that could not be done at the present moment, the only course left open to him was to vote for the clause as it stood.

MR. LABOUCHERE (Northampton) rose to Order. He wished to know whether it was possible to move any Amendment on the Question "that the Clause do pass?"

THE CHAIRMAN: No Amendment can be moved.

MR. DARLING said, his impression was that any hon. Member voting for the clause could do so with the intention of amending it in some direction at a later stage. For his own part he should like to say that he would vote for the clause if it were pressed that day, only with the intention of moving the Amendment at a later stage.

SIR ALGERNON BORTHWICK said, he wished to have the clause put as it stood at present.

MR. KELLY (Camberwell, N.) said, that the hon. and learned Member for Ashton-under-Lyne (Mr. Addison) had talked about a libel that did no injury. He imagined that it would be very difficult to produce a case in which a libel had inflicted no injury. He would give an instance of a case which occurred a short time ago in order to show the difficulty a man had in proving that he had sustained any special injury. The case to which he referred was one in which, in consequence of a printer's error, the name which should have appeared last in the list of dissolutions of partnership was the first inserted among the bankruptcy notices. That was a somewhat serious matter for the persons concerned; but how was it possible for them to prove special damages. That, he was afraid, was only one case out of many which constantly occurred. The question was whether the existing law in this respect was not better than that which it was now proposed to substitute. It must be remembered that the existing law had been materially altered after much consideration, and as it now stood it was an improvement made by 8 and 9 *Vict.* c. 75, upon the provisions of an Act passed two years before, viz., 6 and 7 *Vict.* c. 96. There was one point he desired to lay before the Committee which was of real importance. It was impossible for anybody to secure that an apology, explanation, or contradiction in the shape of explanatory matter should go to the same people who had seen the original libel. It was utterly impossible that that could be secured in any case. If they could insure that all the persons who read the libel should also read the explanation, there might be some argument in favour of the clause, but it was impossible to say that a libel could be published without injury, even if there was an absence of malice. It was no reparation to receive an apology, explanation, or contradiction. It merely put an end to the period during which the unretracted libel went out to the public. In his opinion it would be most unsafe to deviate from the principle that every apology should be accompanied by a payment into Court. That would secure to the libelled person some reparation, and would be a means, he ventured to think, of putting an end to a great deal of unnecessary litigation. If a man found that £5 or £10 were paid into Court he would get his costs, and decline to proceed further with the action. The sum

of £5 was very little; but it frequently represented the difference between costs as between party and party and attorney and client. He failed to see why a man who was libelled should not, after vindicating his character by way of action, be pecuniarily in the same position as if he had not been libelled at all The hon. and learned Member for Ashton-under-Lyne said the plaintiff in a libel case should not be in a position to say that the defendant had paid money into Court. But the reason he should be able to say that was obvious. If a man brought an action for injury done to him, it was very easy for him to prove that he had been libelled, but he did not see how the plaintiff in a libel case was to prove special damages. That was a thing he could not do, and he ventured to think that he ought not to be asked to do it. If the clause were allowed to stand in its present form, it would give what the Committee would never wish to give—namely, a practical immunity to libellers.

MR. ADDISON hoped the Committee would allow him to say a word in answer to the remarks of his hon. and learned Friend (Mr. Kelly). He thought that the illustration which had been given by his hon. and learned Friend was a very good illustration of the manner in which frivolous actions for libel were now brought. A newspaper by the merest accident inserted under the head of "Bankruptcy" a notice of liquidation, the words being used in some cases as synonymous terms. What might the gentleman who considered himself libelled have done? If he had gone to the editor, he would have been only too glad to have acknowledged the error, and to have put in an ample explanation of the mistake which would avoid any possibility of injury being inflicted. But, instead of doing so, an action for libel was brought, and now they were told that it was necessary to bring an action, because some persons might have read the paragraph and not have read the apology. They were told that the apology would not be read by the same people, but, if that were the case, would the trial be read any more than the apology. These actions were nearly always brought when the real injury would have been set right at once by the newspaper if it had been allowed to do so.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney) said, they all knew that if they gave a libel a day's start, it would take a week to overtake it. His hon. and learned Friend the Member for Ashton-under-Lyne (Mr. Addison) had given an illustration of a case in which the word "liquidation" was inserted instead of "dissolution." That appeared in a monthly trade journal, and it reminded him of a very important case which occurred to the proprietor of a weekly newspaper, and which he believed was familiar to most Members of that House. It was a case where a newspaper had employed a certain lady of title to act as scout in society, to bring any little matters of information and scandals, the lady being rewarded by the payment of some infinitesimal sum for doing so. In the particular case to which he referred, a young lady was maligned, and brought an action against the proprietor of a newspaper. The newspaper was severely fined, but the lady who committed the libel got off scot-free. He was desirous of making the Law of Libel perfect, and to insure that there was no loophole for letting off a newspaper who, by inserting a libel, had seriously injured the character of an individual. As a matter of fact, in many of those cases no money payment would set the injury right. If, however, the hon. and learned Attorney General would give him an assurance that Clause 5 would not in any way weaken the present Law of Libel, he would be very glad to agree to it.

SIR RICHARD WEBSTER said, that, as he had been appealed to, he felt bound to say that the clause did weaken the Law of Libel, in the sense that the defendant would be able to get off the payment of damages or costs unless the plaintiff could prove special damages in any particular case.

Question put.

The Committee *divided*:—Ayes 89; Noes 41: Majority 48.—(Div. List, No. 146.)

Clause 6 (Power to defendant to give certain evidence in mitigation of damages).

MR. JENNINGS (Stockport) said, he did not know whether the hon. Baronet (Sir Algernon Borthwick) proposed, in accordance with his Motion on the Paper, to move to strike out this clause.

Sir ALGERNON BORTHWICK (Kensington, S.) was understood to say that he did not propose to do so.

Mr. JENNINGS said, he hoped the clause would be retained. It was one of the most important clauses in the Bill, its object being to prevent newspapers being subjected to black-mail by persons who brought actions for libel, very often one after another, for no real damage, but in order to make money out of newspapers not able to defend themselves. There were many respectable newspapers against whom an action for libel was absolutely ruinous. In most of these cases no real damage was done, and in many cases the newspaper proprietor would be glad to make a compromise by paying costs. It was not desired in the least to give any protection whatever to those who were really guilty of reckless libels, and the rights of all persons who were libelled were preserved under the Bill. All that the clause said was that it should be open to a newspaper to explain or to plead in mitigation of damages, that the plantiff had already recovered damages or had received, or agreed to receive, compensation in respect of the libel to the same purport or effect as the libel for which the action was brought. That seemed to him to be a very reasonable provision indeed. No one was prepared to say that a newspaper proprietor should not pay damages to a person who had been libelled or injured by a libel, and the libelled person might bring as many actions as he chose. But the newspaper proprietor was to be at liberty to go into Court and plead that the plaintiff had already brought 20, 30, or 40 actions against different newspapers, and had recovered damages in each case for the same libel. It was further provided that that was a matter which should be considered by the jury in mitigation of damages, and that was the sole object of the clause. The Committee must not suppose that the actions for libel which were reported in the newspapers by any means included all the actions which the newspapers had to meet. There were cases in which newspapers paid money over and over again to persons who were no better than professional black-legs, rather than run the risk of going into Court and being cast in damages for the most frivolous of so-called injuries. This clause was intended, in point of fact, to protect respectable newspapers from blackmailers, and not to give greater facilities to libellous or reckless writers than were given at present. On the contrary, he thought the promoters of the Bill would deal more severely with libellous matter recklessly inserted in newspapers than any other hon. Members of the House. He hoped the Committee would not reject the clause without full consideration as to what it led to, and what it involved. He ventured to think that no one who looked closely into it would be of opinion that it did more than confer on respectable newspapers reasonable and adequate protection against injustice.

Mr. OSBORNE MORGAN (Denbighshire, E.) said, he thought he might be considered something of an expert in this matter, for there was a time when he had been regularly libelled once a month, though he had not found that the process did him much harm. He must say that he was very much inclined to agree with the views of the hon. Member who had just spoken (Mr. Jennings). It seemed to him that if they gave up this clause, the Bill would be so emasculated that it would not be worth having. The clause proposed to allow a defendant to take steps to prevent a plaintiff making money out of a libel by going about from one Court to another, and making a good thing of it. Surely that was a thing which no one, however he might object to the Bill, could wish to see allowed. Therefore, if the clause were carried to a Division, he should certainly support it.

Mr. KELLY (Camberwell, N.) said, he did not concur in the view of the right hon. and learned Gentleman. He thought that the Committee would admit that there were cases in which a plea of this kind would be most misleading. For instance, take the case of a paper in the Lake District. Why should that paper, if it had libelled a man, be benefited by an action brought against a Manchester paper which had also libelled him? The plaintiff might have brought an action and recovered damages in Manchester, but what those damages had to do with the amount of injury inflicted upon him by a libel published against him in the Lake District, he (Mr. Kelly) failed to perceive. The paper in the Lake District would not have to pay a farthing more on account

of any injury inflicted by the Manchester paper. Of course, if a defendant got a friend to publish a libel against him, and then went about bringing actions against the newspapers in which it appeared, he could understand the force of the observations of the hon. Member for Stockport (Mr. Jennings) about black-mail, but such things did not happen. But these newspapers were published for the profit of the persons who published them. Sometimes the insertion of a scandalous libel increased the sale of a paper, and it was ridiculous to say that because the person libelled claimed a proper amount of compensation for the wrong which had been done, it should be characterized as an attempt to levy black-mail. He trusted the Committee would accept the clause. [*A laugh.*] He saw that hon. Gentlemen connected with newspapers were prepared to take advantage of any slip, and he could not imagine how they should then object to the other people taking advantage of the slips calculated to do immense injury made in newspapers. He trusted the Committee would reject the clause, because it would mislead juries, and induce them to take into consideration matters with which they had nothing to do.

MR. LAWSON (St. Pancras, W.) said, that, as one of the promoters of the Bill, he must object to the course taken by his hon. Friend opposite (Sir Algernon Borthwick) in regard to this clause. He thought they were bound to arrest the eviscerating process which had been going on with regard to the Bill. The remarks of the hon. and learned Gentleman were altogether inapplicable to the clause, because the jury were not forced to be influenced by the fact that a plaintiff had received compensation already for the same libel, and the clause, at it stood, would not necessarily affect the interesting friend of the hon. and learned Member who lived in the Lake District. It must be borne in mind that this was not a compulsory but a permissive clause. It was directed against professional litigants, and those unscrupulous solicitors who put in action groups of libel cases on the bare chance of obtaining costs for correspondence. He knew of several papers which had three or four cases of that kind pending against them; and what was their position? They found it necessary to pay heavy sums of money in order to escape the inconvenience and expense of a law suit, because they knew that if they went into Court and succeeded in getting a verdict, their opponents were men of straw, from whom they could recover nothing whatever. Under those circumstances, he thought the Committee would be of opinion that this important clause should be retained in the Bill. He might instance a case which occurred about three months ago, where a solicitor brought an action against 42 papers for stating that he had been struck off the Rolls. Another solicitor of the same name was struck off the Rolls, but an official of the Court made a mistake, and gave the reporter for the news agency the address of the solicitor who brought the action, and who happened himself to be a bankrupt. He claimed £2,000 in each case, or £84,000 in all.

MR. KELLY asked, whether any of those actions were ever tried?

MR. LAWSON said, he did not see how that mattered in the least. He was only giving the case as an example to show what the professional litigants could do. This was the way in which newspapers were black-mailed under the licence given to professional litigants and unscrupulous solicitors. He sincerely hoped the Committee would allow the clause to be retained in the Bill.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, he wished to point out one matter to the Committee. He had already opposed the last clause—that the plaintiff should not be entitled to claim compensation at all, assuming that there had been no negligence and no malice, unless he proved special damage. Therefore, it would now be necessary for a man who had been libelled to prove that he had sustained special damage by the publication of the libel. Therefore, if a libel were published in *The Manchester Guardian*, for instance, the plaintiff would have to prove that he had lost a portion of his Manchester custom; but what right had the defendant to give evidence of damages having been recovered upon a similar libel in another part of England? He certainly could not assent to the present clause, now that they had passed the 5th clause. It involved a most serious alteration of the law. The hon. Gentleman below the Gangway who had just spoken (Mr. Lawson) was careful to argue the clause in regard to its effect upon the black-mailer; but as

the clause was framed it would apply equally to the honest plaintiff who might have been grossly libelled.

MR. LAWSON: The question would be left to the jury.

SIR RICHARD WEBSTER: A person might be libelled, and grossly libelled, by a newspaper. He was ready to admit that the managers of newspapers, as a rule, carried on their business without wishing to publish libels, although there were undoubtedly some who did not pursue that course, but were in the habit of indulging in libels. There were very many respectable newspapers which never inserted libellous matter. He failed to see why a man who suffered special damage from a publication in a newspaper circulated in a particular county should not recover those damages, and why it should be given in evidence that damages had been obtained in respect of that libel to the same purport or effect. It seemed to him that the clause went much too far, and he should feel compelled to vote against it.

SIR ALBERT ROLLIT (Islington, S.) said, that the point raised by the hon. and learned Gentleman the Attorney General was an important one. No doubt, in the case of a newspaper published in Westmoreland and another in Cornwall, there would be such a distance between them that the argument against giving evidence in regard to damages recovered in another action might apply. But take the case of London. A series of London newspapers might contain the same libel, and a plaintiff would be able to bring numerous actions which were practically one and the same. Therefore, it seemed to him to be only right that the whole of th e facts should be placed before the jury, and all that was asked to be done by the clause was that the defendants should have liberty to give evidence to the jury to satisfy them what the extent of the injury had been. That being ascertained, it would rest with the jury to assess the damages, and they would be in full possession of the facts. Therefore, the argument of the hon. and learned Gentleman the Attorney General did not apply in such cases at all. The whole of the facts of the case would be placed before the jury before they came to a conclusion upon the subject. The hon. Member for West St. Pancras (Mr. Lawson) had spoken of the actions brought against 42 newspapers for the same libel. In that case, in which it happened that he was professionally engaged for most of the papers, the libel was one over which the newspaper editor had no control whatever. In fact, the error originated with one of the officials of the Courts. A certain solicitor was struck off the Rolls, and a reporter for a news agency asked an usher who the solicitor referred to was. The usher referred to the official Court *Law List* and gave the name of a man which was identical with that of the solicitor struck off, but who turned out to bethe wrong one. Instead of 42, there were from 60 to 80 actions brought, and the total claim amounted to about £160,000. It was quite true that those actions were not tried; but large sums of money were paid into Court, inasmuch as there could be no disclaimer on the part of the newspaper proprietors that the paragraph was a libel, and settlements were made which were altogether excessive, and beyond any real injury sustained. The actions were not tried on account of the death of the plaintiff. All the newspaper proprietors wished that in such a case, in future, the defendants should not be placed at a disadvantage by not being able to place the whole of the circumstances as to damages and settlements before the jury who would be called upon to decide the case.

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he had had no intention of taking part in the debate in Committee on that Bill; but he thought it was of the utmost importance that they should have fair and reasonable laws with regard to libels, and they ought to bear in mind those newspapers which were anxious to do what was fair and right towards the general public. When he read the clause he certainly thought it was a fair and reasonable one, and he would ask his hon. and learned Friend the Attorney General, or the right hon. Gentleman the Home Secretary, whether there were any words in the clause which ought to be omitted, or anything that could be inserted to amend it, so as to secure that every person who was attacked by the Press should have a fair and impartial hearing, and to prevent as far as possible those persons whose only object was to make large sums of money out of the Press in connection with libel cases that were never intentionally com-

mitted. Unless he heard stronger objections than had yet been urged, he should feel bound in the interests of the Press to vote for the clause.

MR. LABOUCHERE (Northampton) said, his hon. Friend the Member for West St. Pancras (Mr. Lawson) had mentioned a case in which more than 40 actions were brought for the same libel. The hon. and learned Gentleman the Member for North Camberwell (Mr. Kelly) asked if they were tried. Probably he was not aware of the difficulty which arose in regard to getting them tried, the fact being that a sort of punishment fell upon the person who brought them, and he died before the actions could come on. As a matter of fact, it often happened that cases of that kind were not tried because the man who brought them went round to the different newspapers. The newspaper proprietor had to put in a justification, but he saw that by the present law he must lose the action; and, in order to avoid further loss to himself, he agreed to pay a sum of money to the person who brought the action. In that way there was a perfect and persistent system of blackmailing now going on. The hon. and learned Attorney General rested his objection to the clause, as far as he could gather, on the fact that Clause 5 had been carried.

SIR RICHARD WEBSTER: Not entirely.

MR. LABOUCHERE: Not entirely?

SIR RICHARD WEBSTER: No; only partly.

MR. LABOUCHERE: The hon. and learned Gentleman rested his objection to this clause upon the fact that the 5th clause had been carried. He did not, however, rest it entirely; only partly—probably very much partly. The hon. and learned Attorney General had opposed the 5th clause. He did not approve of it, and therefore opposed it.

SIR RICHARD WEBSTER said, the hon. Gentleman was in error, but he had no wish to interrupt him. He did not vote against the 5th clause. He objected to the clause as it stood, but he proposed to amend it on the Report.

MR. LABOUCHERE said, he wished to know whether, before the discussion took place in the House, the hon. and learned Gentleman did not intimate to the promoters of the Bill that he would not agree to the Bill being supported by the Government unless they consented to omit the 5th and 6th clause? It was against that decision that he entirely protested, and he wished to know whether it was a fact that an intimation was given that Clauses 5 and 6 would be opposed by the Government? Was he to understand that the hon. Gentleman the Member for South Kensington (Sir Algernon Borthwick) really believed himself that those clauses ought to be eliminated from the Bill? If not, why did he move that they should be eliminated?

SIR ALGERNON BORTHWICK said, he wished to explain that the hon. and learned Attorney General had been kind enough to point out certain defects in the Bill, and in consequence of the hon. and learned Gentleman's observations he took the course which he had adopted. With regard to the present clause he should vote for it.

SIR RICHARD WEBSTER said, he had made no arrangement with the hon. Gentleman below the Gangway, but he had intimated that he intended to endeavour to amend the clause.

MR. LABOUCHERE asked, if he was to understand absolutely that there was no sort of arrangement in regard to any clause of the Bill, and that the hon. Baronet the Member for South Kensington, in his Motion to leave out certain clauses, merely acted according to his own view of those clauses? Had he taken the initiative in moving the rejection of this clause from his own belief that the clause was bad?

SIR ALGERNON BORTHWICK said, he distinctly approved of the 6th clause, and should vote for it.

MR. LABOUCHERE: Then what was this entry upon the Votes? Could his eyes deceive him? "Sir Algernon Borthwick"—he presumed Sir Algernon Borthwick was Member for South Kensington—"to leave out Clause 6."

SIR ALGERNON BORTHWICK: You may be permitted to change your mind.

MR. LABOUCHERE said, that no doubt the Committee would always be glad to receive back a repentant sinner, but he must say that the course adopted by the hon. Baronet was a very singular one. The Bill passed the second reading as it stood in its entirety. No intimation was made then that the promoters intended to alter the Bill in any sort of

way. But what did he find now? That one of the best clauses was moved to be omitted by the promoters of the Bill. He could not help supposing that there must have been some sort of communication with the Government, seeing that the hon. Baronet was a supporter of the Government, or the Bill would not have been emasculated in this way by the promoters themselves. It appeared now that the hon. Baronet saw reason to change his mind, and was in favour of the clause. He (Mr. Labouchere) was exceedingly glad to hear it, and he was sure the intimation would induce many hon. Members to follow him rather than the hon. and learned Member for North Camberwell. The hon. and learned Member for North Camberwell came forward as a lawyer, and not as one of the public. He seemed to imagine that he ought to get up there on every occasion as the advocate of the people against newspapers. Now, the newspapers did not desire to have any exceptional law in their favour, but all they wanted was justice. There were certain Members in that House who, like the hon. and learned Member for North Camberwell, seemed to think that a newspaper proprietor or editor was to be treated like a stoat or a weasel, or some other animal *ferœ naturæ*, and that they were not to have the benefit of the same law that was dealt out to other people. He trusted that that fact would be thoroughly remembered by hon. Members when the vote was taken. The clause simply said that a newspaper might submit to the jury the fact that damages, special or otherwise, in an important case had been already given to the plaintiff, who had thus received a solatium for his wounded honour, feelings, or interest. That was all the jury would consider—whether a man, having been injured, had received a sufficient solatium. It was directed against a system of blackmailing by which a man was unable to obtain more than a sufficient solatium.

Sir ALGERNON BORTHWICK said, he wished to explain that in the course he had pursued in reference to this matter he had not been acting by himself, nor in any arbitrary fashion. He had felt bound to consult those who were concerned with him in promoting the Bill, and the course he had taken had been guided by the advice he had received.

Mr. KELLY said, he had only one word to say as to the course he had pursued in reference to this clause. He had all along opposed the clause, and he had placed an Amendment on the Paper for its omission. He thought the House was under a little misapprehension with regard to the effect of the clause. The Committee had heard of a case which had led to a large number of actions. Now, he had reported that case himself, but he did not libel the gentleman in question. The hon. Member for South Islington (Sir Albert Rollit) said there had been no negligence in that case, because the person who made the false report got his information from the usher of the Court. Now, he should have thought that a person who was content to obtain information of that kind from the usher of the Court was certainly guilty of the grossest negligence. He would tell the hon. Member how the mistake arose. An application was made to strike off the Roll of Attorneys a person whom he would now call John Smith, and who had carried on business at Liverpool. There was only one John Smith on *The Law List*, and he practised in Salters' Hall Court, London. The reporter, instead of leaving out the address as to where the man carried on his business, asked for information from the usher, who handed him *The Law List*. Finding a John Smith there, the reporter inserted the name as that of the man who was struck off the Rolls. The mistake arose from the ignorance or carelessness of the reporter, who ought to have known that most frequently men whom it was sought to strike off the rolls did not take out certificates, and that, consequently, their names did not appear in *The Law List*. In his (Mr. Kelly's) opinion, that was just the one case of all others in which damages ought to be given against a newspaper proprietor for employing an incompetent, ignorant, and careless reporter, who might have done the greatest possible injury to a respectable practitioner.

Mr. RADCLIFFE COOKE said, he intended to support the clause, but he did not think there was much advantage to be derived from discussing it in reference to individual cases. He thought the clause was an extremely valuable part of the Bill, though certainly

what it proposed to do directly could now be done indirectly in every case of libel. It only provided that all the facts should be laid before the jury when an action for libel was brought against a newspaper proprietor. If it were calculated injuriously to affect the interests of a person who had been libelled, he should certainly vote against it; but it only proposed to do what was done in reality in every action already. No doubt, the defendant could not bring forward evidence of previous actions taken by the plaintiff; but he could cross-examine the plaintiff, and in that way do so. But, as a rule, the learned Judge told the jury that evidence thus obtained ought to have no effect or influence upon their minds. What was now done indirectly this clause proposed to do in future directly; so that instead of the jury being told by the learned Judge that they were not to take this fact into consideration in assessing damages, he might inform them that, if they were so pleased, they might do so. The hon. and learned Attorney General had argued the question as if Clause 5, which they had just agreed to, would remain as it stood; but it had been agreed to on the understanding that it should be amended on the Report. The effect of the clause under consideration would be to prevent plaintiffs from multiplying actions, and as he regarded that as a valuable part of the Bill he should vote for it.

SIR JOHN SIMON (Dewsbury) said, he believed that the clause was practically just and fair, and should be sorry to see it struck out of the Bill. The object of the Law of Libel was to enable a man, if libelled, to vindicate his character; and if he brought an action and succeeded in vindicating his character, what more could he require, or what more should he obtain? If he recovered damages in one action, that was all that he was entitled to, and all that the law ought to allow him. The hon. and learned Member for West Newington (Mr. Radcliffe Cooke) had pointed out the uncertain condition in which the law stood—namely, that although there was no direct law to entitle a man to give evidence as to other actions brought against newspapers, yet he was indirectly enabled to obtain that evidence, because if the plaintiff had given his evidence he might be cross-examined as to whether he had brought actions before, although Counsel or the Judge would be justified in telling the jury that they ought not to take that fact into consideration in assessing damages. He thought that was a most unsatisfactory and unfair state of the law. Honourable men would not bring a multiplicity of actions; but it would open the door to men of another stamp, who would seek to make money out of an accidental publication or an indiscretion that might have been committed. It was said that a newspaper proprietor should be punished for employing an incompetent or negligent servant. Well, he thought that what all employers did was to try to get the best men to serve them that they could, and if they failed to do so in some cases, it was their misfortune and not their fault, and they ought to be visited with punishment in consequence. He would be the last person to seek to exempt newspapers from responsibility in regard to what they published; but, on the other hand, he was not prepared to become a party to doing anything which would facilitate the levying of blackmail, or subjecting them to being victimized by any person of questionable antecedents who might choose to take advantage of an accidental slip on the part of a newspaper proprietor. He thought the clause was a very fair one.

MR. ADDISON (Ashton-under-Lyne) said, the Committee must bear in mind that this clause was only to put an end to a barbarous technical rule which no one would ever think of incorporating in the law in the present day if these rules were now being considered for the first time. The rule was that evidence was not admissible that a man had already cleared his character elsewhere, and had obtained damages against some other newspaper. Though a man might have been already in the box and submitted to cross-examination, and though the facts of the case might have been proved by other evidence, all declarations to that effect were technically inadmissible according to this barbarous rule. A man was not allowed to show that the plaintiff had brought other actions and had obtained certain damages. He asked the Committee to put an end to that technical and barbarous rule.

Question put.

The Committee *divided:*—Ayes 159; Noes 38: Majority 121.—(Div. List, No. 147.)

Clause 7 (Defendant may in certain cases obtain security for costs).

SIR ALGERNON BORTHWICK (Kensington, S.) said, he begged to move that this clause be omitted. The reason for his Motion was this—that although the clause was an excellent one in itself and of great value, nevertheless he admitted that it would be exceptional, and, therefore, perhaps unfair. He wished to see the clause in some way or other become the law of the land; but he quite admitted that it would be invidious to give to the Press a privilege which was not possessed by railway and other companies in actions for damages, and for that reason he begged leave to withdraw the section.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, that the hon. Member for Northampton (Mr. Labouchere) had, unintentionally no doubt, just now attempted to put him (the Attorney General) into an altogether false position. In the first speech he (Sir Richard Webster) had made in Committee on this Bill, he had stated that he simply spoke on the measure for himself, and not on behalf of the Government. He had stated that distinctly, and he had further stated that he had been asked by the hon. Baronet in charge of the Bill to point out what he considered were the objections to be taken to it, and that the hon. Baronet had adopted Amendments that would meet those objections so far as he (Sir Richard Webster) was personally concerned. That was the state of the case—there was no pledge of any kind. The hon. Baronet had, on the occasion to which he referred, adopted the course he had taken that day—namely, that although he had moved an Amendment, it had only been in order to get the expression of the Committee upon it, he himself voting against it. As to the clause, might he (Sir Richard Webster) point out two or three reasons why it seemed to him impossible to accept it? It was not suggested that newspaper editors and proprietors did not carry on their business on commercial principles, and some of them very successfully. This clause would give them immunity against plaintiffs not able to pay costs; but it must be obvious to everyone that newspaper proprietors and editors were not the only persons against whom these actions were brought. Actions were frequently brought against employers for negligence, for which, as a matter of fact, they had no moral, and very little legal responsibility, and then they had to fight the cases with no chance of getting a fraction of their own costs. There were a great many cases, no doubt, which should not be taken up against newspaper proprietors; but, on principle, it would not be fair to give a special privilege to that class of defendants, although it might be true that, as a rule, they conducted their newspapers very carefully and well. Then, again, it would be unfair to prevent a plaintiff, who might be a poor man, from bringing an action. The character of such a man might be seriously impugned by a libel, and yet, if he brought an action in order to obtain satisfaction and rehabilitate himself in the opinion of his neighbours, the newspaper proprietor might be able to stop him by showing that he was not able to pay the costs. Newspapers, it might be, ran extra risk; but he (Sir Richard Webster) looked upon the clause as wrong in principle, and, therefore, should oppose it.

MR. JENNINGS (Stockport) said, that he, no doubt like others whose names were on the back of the Bill, heard, with great regret, that this clause was to be withdrawn by the chief promoter. He must say that the treatment received by those who had put their names on the back of the Bill, from the persons who had induced them to take that position, was very extraordinary. They had heard a great deal about the clause being withdrawn by the chief promoter after consultation with the other promoters; but he (Mr. Jennings), as one whose name was on the back of the Bill, must declare that no consultation had ever taken place with him. He confessed that it was with the utmost dismay that he had heard that the hon. Baronet had determined upon killing his own child; and now, not content with that, the hon. Baronet attempted to throw the blame upon his fellow promoters, who were entirely innocent of the crime. He (Mr. Jennings) looked upon this clause as a very material

part of the Bill, and there was but one objection to the working of it. That objection was that a really poor and honest plaintiff in a suit might be debarred from bringing an action by its being shown that he could not pay the costs, or might be subjected to hardship of some sort. He thought every effort should be made to meet such cases, and that nothing should be allowed to prevent a person with a real cause of complaint from bringing an action against a newspaper proprietor, in order to defend his character. It seemed to him (Mr. Jennings) that an Amendment in some such form as this, "unless just cause to the contrary be shown," should be inserted. He thought those words would be sufficient; but if they were not enough, and if the hon. and learned Gentleman the Attorney General desired to do a service to the promoters of the Bill, he would introduce words in order to make the clause as strong as possible, so as to enable a poor and honest man to bring an action against a newspaper which had libelled him, without being obliged to show, in the first instance, that he was in a position to pay the costs. What this clause sought to do was to prevent adventurers and blackmailers who brought actions for libel against newspapers under frivolous pretexts being allowed to go on unless they could show that, in the event of the verdict going against them, they could pay the costs. This would operate very materially against what had become practically a systematic business on the part of many dishonest persons who brought actions against newspapers, and then got them settled quietly by the payment of a certain amount of money and costs. They had been told more than once that most newspaper writers were libellers, and deliberately traduced people's characters. Well, that was not true. It was quite as unfair to say so as it would be to say that all lawyers lived upon these spurious actions for libel. There were, however, many lawyers who did live upon them—there were many lawyers in this City who would prefer to bring an action for libel to going on with any other class of business, as they knew that, in the event of their being successful, they would be able to get their costs from the newspaper proprietors, and that, in all probability, the paper before the case had proceeded very far would say—"Take £50 or £60, and let the matter drop." Over and over again it had happened that respectable newspapers had, for *bonâ fide* purposes, published news which reflected upon the characters of individuals, and had actions brought against them by plaintiffs who simply wanted to make a profit out of the matter, and were not in a position to pay their costs if unsuccessful. A shameful case of this kind occurred, in which *The Daily Telegraph*, through publishing a notice concerning a certain criminal, had to pay a large amount of costs, he believed some £700. This sort of thing frequently happened to newspapers, who said nothing at all about it; the facts, therefore, never came to the knowledge of the public, and these actions were absolutely ruinous to a class of small newspapers—Provincial papers, which did great service to the public, and service of which certain lawyers were very glad to avail themselves, especially when they were fighting contested elections. They did not find these gentlemen running down such newspapers then. These papers were frequently threatened with actions for libel, and in order to settle them and save the expense they were very often induced to pay a sum of money and the lawyers' costs—the lawyers' costs, he need not say, being frequently the largest part of the bill. It was to put an end to such a state of things as that that this clause had been drawn up. He could not, however, express too strongly his hope that the clause might be placed in such a shape that a poor man who had suffered libel at the hands of a newspaper should be able to obtain protection, even if he was not able to give security for the payment of costs. He hoped that the clause would be carried, and that a stop would be put to the career of disreputable adventurers who went about plundering newspapers by the aid of more or less disreputable lawyers.

MR. OSBORNE MORGAN (Denbighshire, E.) said, that this subject might be dealt with in a separate Bill; and if the hon. Baronet (Sir Algernon Borthwick) would bring in a measure dealing generally with the law, and requiring that, under certain circumstances, plaintiffs who might be men of straw should give security for costs, he should be happy to support such a proposal. He

could speak from his own professional experience in regard to that matter. It was impossible to exaggerate the amount of blackmailing which went on against newspaper proprietors. There were hundreds of actions brought in which the plaintiffs were men of straw, and in which there was not the faintest chance of their paying the costs; in fact, they never meant to pay them, however the cases went, and, in fact, never did pay them when they lost. In those cases the costs of the defendants were very much more severe than would have been any amount of damages the jury would have been likely to inflict had the cases gone against the newspapers. But newspaper proprietors were not the only victims in cases of this kind. Employers of labour, railway companies and masters also suffered. Very frequently an employer of labour was only too happy to buy off an *employé* who threatened him with an action. He (Mr. Osborne Morgan) thought it would not be advisable to pass a special law which did not apply to defendants generally, but only to newspaper proprietors; and, therefore, he thought the hon. Baronet in charge of the Bill had exercised a wise discretion in determining to withdraw the clause.

Mr. RADCLIFFE COOKE (Newington, W.) said, the Committee seemed to be discussing this question under a misapprehension, hon. Gentlemen speaking as though the law laid down in the clause applied only to newspapers. As a matter of fact, it applied to everybody; and though he desired to support the objects of the promoters of the Bill so far as those objects could be gathered, still it was quite clear from the speech of the hon. Member for Stockport (Mr. Jennings)—one of the ablest of the supporters of the Bill, who threw himself vigorously into the debate, flushed with his victory of the previous day—that the clause was so framed that even he himself would be utterly unable to vote for it in its present form. The hon. Member told them that the clause, as it stood, would prevent a poor man who had been genuinely libelled from bringing an action. ["No, no!"] Well, he (Mr. Cooke) had understood the hon. Member in that sense. Not only had the hon. Member said that, but he had urged the hon. and learned Gentleman the Attorney General to put in words in order to prevent a poor man, who could not show his ability to pay costs, from being precluded from bringing an action against a newspaper which had libelled him.

Mr. JENNINGS said, that what he had intended to convey was that he thought the words now in the clause would accomplish this object, and that, if they did not, he trusted that some stronger words would be inserted.

Mr. RADCLIFFE COOKE said, that those words certainly did not carry out that object. If the hon. Member had thought that the words in the clause would accomplish the object in question, why was he so earnest in entreating the Attorney General to put in words to effect it? One main reason why, although he desired to support the Bill in the main, he could not support this clause was that the objects of the clause were practically carried out by the law as it stood. Under Section 10 of the County Courts Act, 1867, it was insisted that it should be lawful for any person against whom an action—and the section named the actions, amongst them being libel and slander—should be brought to make an affidavit that the plaintiff had no visible means of paying the costs of the defendant, should a verdict not be found for the plaintiff; and thereupon the Judge should have power to make an order that the plaintiff should give full security for costs, or that the action should be remitted to the County Court, where the costs would be very much less. The difficulty, therefore, was met, to a large extent, by the existing law; and for that reason, and because the promoters of the Bill themselves admitted that the clause, as drawn, did not provide against a great danger, he (Mr. Cooke) found himself unable to vote for it.

Mr. LAWSON (St. Pancras, W.) said, the clause was another of those directed against disreputable plaintiffs whose cases were conducted by equally disreputable attorneys. He quite agreed with the hon. Member for Stockport (Mr. Jennings) that it was most desirable, if legal ingenuity could do it, to guard against the possibility of the clause being used against a genuine but poor litigant. The hon. and learned Gentleman the Attorney General had already assisted the promoters by suggesting several Amendments; and he (Mr.

Lawson) would, therefore, ask the hon. and learned Gentleman if he could not, on the point they were dealing with, suggest an Amendment which would render the clause harmless in the particular case to which attention had been called?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, he had considered that point, and it seemed to him that no Amendment of the kind ought properly to be proposed, as the principle of the clause was bad altogether. He objected to the provision altogether, and thought it should be struck out. In the case of a man who had been adjudicated a bankrupt, obviously the Judge could not expect him to find security for the payment of costs; and, under such circumstances, a newspaper would be able to libel a man with impunity. The whole scope of the clause was to prevent persons from bringing actions who were not in a position to pay costs, and that would be obviously unfair to many injured persons who happened to be poor.

MR. LAWSON said, why not, after the words "adjudicated bankrupt," insert words to limit the application of the clause to such individuals? That would be a satisfactory modification. He wished to remind the Committee that in dealing with this matter they should recollect the way they treated Clause 4. They omitted all those words in Clause 4 which related to the publication of notices issued for the information of the public by order of any Government Office or Department. Well, if the Committee would permit him, he would like to refer to one specific case which had already been mentioned to show how a newspaper could be prosecuted by a bogus litigant if those words were left out which the Attorney General himself had proposed, or assented to, or recommended. In the case mentioned by the hon. Member for Stockport (Mr. Jennings) an official letter came to a London newspaper from the Assistant Commissioner of Police, asking that newspaper to insert a particular paragraph warning the public that a great fraud was being carried out by an ex-convict named Murray, assisted by another well-known ex-convict named Benson. This was a fraud not only being contemplated, but on the point of being carried out to the great injury of the public. Well, the paragraph received from the Assistant Commissioner of Police was inserted in this newspaper, and next morning a letter of thanks was received from him for the publication of the paragraph, and giving additional particulars, which he asked might also appear. These additional particulars were also published, and the fraud was stopped. In consequence of the publication of this information, society was prevented from being victimised by the swindlers in question, and the newspaper received the thanks of the Assistant Commissioner of Police for what it had done. Well, in consequence of that official paragraph appearing in the newspaper, the man Murray brought an action against the paper, which was put to the expense of some £700, principally in making inquiries in Geneva and elsewhere into the matter, and received very little assistance from the Police. He need not say that the action had failed when brought into Court; but still, the newspaper was put to this great expense, and all because it trusted to the accuracy of a communication received from an official department. The facts contained in the paragraph which formed the subject matter of the libel were true, as it turned out, but as there was no possibility of recovering costs from the plaintiff, who was a man of straw and a bankrupt, it was very little use to the newspaper to prove that it was in the right. What he wished to say was this—that a newspaper might be anxious to assist the Government in matters of this kind as much as possible, but was frequently precluded from taking the action, as in the case to which he had referred, on account of the risks thereby incurred. Supposing this clause were not pressed, would the hon. and learned Gentleman the Attorney General give them any reason to hope that Clause 4, which was omitted in Committee on a former occasion, would be put back on the Report stage so safeguarded that the dangers which were foreseen would be effectually prevented?

SIR RICHARD WEBSTER said, it seemed to him that for once the hon. Gentleman the Member for West St. Pancras (Mr. Lawson) had lost the real point of the reason why Clause 4 was struck out. The case the hon. Member had cited was hardly in point, but he must say at once that if the hon.

Gentleman could suggest on Report any clause which would meet such cases as that to which he had referred, he (Sir Richard Webster) would gladly consider it, though he could not give any pledge on the matter. The words referred to had been struck out because it was not thought desirable to make a newspaper privileged in the case of information received from even a Government office, but the point now under discussion was different. If a police official sent to a respectable newspaper certain information with the request that it should be published, the newspaper proprietor publishing such information with his eyes open would have no right to shelter himself under the authority of that public department. Whatever he published he would publish at his own risk. What he (Sir Richard Webster) wanted to point out was, that because in a particular case a newspaper might think it worth while to act upon instructions received in a perfectly *bonâ fide* way from a public department, it was no reason why that newspaper should enjoy immunity from an action for libel. As he had said, however, the point under discussion was a different one and was not touched by that other consideration. The point was whether all individuals, it might be the servants of an employer, were not to be entitled to obtain redress for injury inflicted upon them in the way of libel or slander unless they could give security for costs. In many instances men who were unjustly libelled may have lost the whole of their money directly in consequence of that libel, or through the necessity of clearing their character, and then their only chance of reinstating themselves might be by bringing an action for libel, and if this clause were adhered to such a course might be rendered impossible.

Mr. KELLY (Camberwell, N.) said, he desired to say a few words on the clause under discussion, as he considered it impossible that it could be allowed to stand. This question of security for costs was a very serious one indeed. The evil with which the clause sought to deal, was one that rich people must be content to put up with, because it could not be remedied without serious damage to the poor. There were cases, however, in which some such law as this, he thought, ought to be adopted, and he would suggest that a clause should be drawn up to deal with the worst of all cases—namely, that in which a long series of actions was brought in respect of the same libel, and which would provide that where actions were brought against several newspapers in respect of the same libel, the proceedings in the second and subsequet actions should be stayed until the first had been tried or security for costs for the others was given. They might allow a man to bring one action, but if he failed in that, the others should be dismissed. He would thus be prevented from putting a whole series of newspapers to the expense of defending actions without giving security for the payment of their costs if unsuccessful. That would be some protection in regard to the worst cases with which the newspaper proprietors would have to deal. While he was anxious to see protection given to the newspaper proprietors he would ask that body to consider whether there were not other large sections of the community who suffered a great deal more than they did from being unable to obtain security for costs. He did not wish to go into the matter very fully, but merely desired to point out that if protection was given it shoul not be given to libellers only.

Sir JOHN SIMON (Dewsbury) said, that the objectionable part of the clause consisted of the words "that the plaintiff has been adjudicated a bankrupt or." Why should a man be libelled with impunity because he had been adjudicated a bankrupt? He thought that if those words were omitted there would be ample protection for the poor man. The words which would govern the section would then be, "has no visible means of paying the costs of the defendant should a verdict not be found for the plaintiff," and the Judge under those words would have an opportunity of listening to any circumstances which would justify the action *primâ facie*. In that way a poor man would not be injured or deprived of his right to redress. If they went to a Division on the question to omit the words, "that the plaintiff has been adjudicated a bankrupt or," he (Sir John Simon) should support the proposal. The matter, however, seemed to him to require grave consideration, and it would, perhaps, be as well for the hon. Baronet in charge of the Bill to

withdraw the clause in order to bring up a new one on a later occasion.

MR. ISAACSON (Tower Hamlets, Stepney) said, he thought the clause should be remodelled. It could not stand in its present form, because it would prevent a poor man from bringing an action against a wealthy newspaper. In certain localities at election time there was often a race between the Conservative and Radical papers as to who should be the first to libel people taking a prominent part in politics. He knew perfectly well, in the neighbourhood that he was acquainted with, that there were many persons rendered miserable and unhappy by the libellous statements made in certain newspapers; but their circumstances were so poor that they were unable to bring actions against those newspapers. He thought that every facility should be given in this new Libel Law Amendment Bill to poor men to resist the libellous attacks of newspapers. It was a well-known fact that there were wholesale libellers as well as blackmailers—that there was a certain class of papers that actually lived upon libelling unoffending persons. They sought for libels, and even courted actions for libel. He was acquainted with a newspaper, which boasted of a very large circulation, which made this statement to a solicitor—"We should be very glad indeed if you would bring an action for libel against us, as that is the very best advertisement we could have." He should certainly not support the clause unless it were remodelled, and, if it were remodelled, he hoped it would be in favour of the poor man.

SIR ALBERT ROLLIT (Islington, S.) said, his name was on the back of the Bill, and he gave it a hearty support; but he must say that there was some ground for seeking to be especially prudent as to this clause. In remedying an evil which affected newspaper proprietors at large, and which also touched a large number of other persons, they must be careful not to create an exceptional privilege which would tell against the ultimate success of the Bill when it came before the House for third reading, or in "another place." He did not think the clause under discussion should pass in its present form, and the question was, Could it be modified? He felt great diffidence in following the hon. and learned Gentleman the Attorney General, who had pointed out the great difficulty existing in the matter; but he (Sir Albert Rollit) thought that words might be inserted which would place the law under this Bill in analogy with the existing law, and give it that generality which it did not in the clause seem to possess. He would suggest that the clause should be amended, so as to enable the Judge to allow an action to proceed, whether or not the plaintiff could show that he had means to pay the costs of the defendant, if he (the Judge) should be of opinion that there was a good cause of action on the merits. In this way, the Judge would have an opportunity of considering—first, whether the plaintiff had the means of paying the defendant's costs; and, secondly, whether there was a good cause of action on the merits. If the Judge thought that there was not a good cause of action on the merits, in pursuance of the principle recognized in the existing law, he might say—"If you wish to bring this action, you must give security that you are in a position to pay the costs if the verdict is against you." He (Sir Albert Rollit) thought that if these words were adopted they would, in a large number of cases, remove the objections which had been stated to the clause.

MR. LABOUCHERE (Northampton) said, he really thought the House had a right to complain of the system adopted in taking the Committee stage of this Bill. The hon. Member for South Kensington (Sir Algernon Borthwick) brought in the Bill with this clause in it, and a very important clause it was. The Bill was at first blocked; the blocks were afterwards taken off by those who had looked into the measure, and had come to the conclusion that they could allow it to be proceeded with. Well, he always thought the House had a right, when it was intended by the promoters of a Bill to make such an important alteration in it as to strike out one of its principal clauses, to be notified before the measure passed the second reading; otherwise, the Bill passed under false pretences—if he might say so—and he did not wish to use the words in any offensive sense. They had heard a great many legal Gentlemen speak upon this matter, and, as was usual, they knew less now what the law was than if those hon. Gentle-

men had held their tongues. He should like to know exactly what the law was at the present moment with regard to plaintiffs who might be poor persons? The hon. and learned Gentleman the Attorney General was not in the House, but he saw another eminent lawyer on the Front Bench opposite—namely, the right hon. Gentleman the Home Secretary, and probably he would enlighten the Committee on the subject. The hon. and learned Gentleman the Member for North Camberwell (Mr. Kelly) had pointed out that in an action for *tort* before a Superior Court the Judge might, on application, remit the action to the County Court, or insist that the plaintiff should give security for costs. Was that the law at present? [*Cries of* "Yes!"] Then what was the complaint against the clause? The clause would only give practical effect in the case of actions for libel to the existing law. Hon. Gentlemen said that this was an attack upon the poor man, and that a poor man ought not to be libelled with impunity. ["No, no!"] Yes; the hon. Gentleman behind him said so, and he should go with his hon. Friend if he thought with him, but he (Mr. Labouchere) denied that the clause would press with undue severity upon the poor man. ["Read the clause!"] An hon. Gentleman said, "Read the clause." He would suggest to the hon. Member that he should read it himself, because he evidently had not done so, or, at all events, had not understood it, as he seemed to think that this clause was an attack upon the poor man. What did it say? Why, that the Judge, when a defendant first put in an affidavit that the plaintiff had no visible means of paying the costs of the defendant should a verdict not be found for the plaintiff, unless just cause to the contrary were shown, should make an order that the plaintiff should, within a time specified, give full security for the defendant's costs to the satisfaction of one of the Masters of the Court. Hon. Gentlemen opposite suggested that alterations should be made in the clause in order to safeguard the interests of the poor man, but the hon. and learned Attorney General had said he did not see how it could be done, and he (Mr. Labouchere) confessed he was surprised to hear that, because it seemed to him that it would be as easy as possible to make those alterations. In the first place, they might leave out the words "has been adjudicated a bankrupt, or has no visible means of paying the costs of the defendant," and so on, &c., and they might then introduce in line 7 the words "shall have power to make an order" that the plaintiff should within a time specified give full security for the defendant's costs. The effect of the clause would then be to require the Judge to look into the matter, and decide himself whether there was a fair and legitimate case for the poor man to bring an action, or whether it was a case of blackmail and there was really no reason for bringing an action. The assumption might be, if a man had "no visible means of paying the costs of the defendant," that the action was a speculative one brought by a solicitor, because if the plaintiff had no visible means of paying the defendant's costs if he lost, one might reasonably suppose that he had no visible means of paying his own solicitor if he won, unless he got something from the defendant. The Judge would, therefore, as the practically responsible person, look into the matter, and if he thought the case was in its nature not a reasonable one he would insist upon security being given for costs, but in no case would he do it when he had reason to think that it would tell unfairly against a poor man. They had had instances of hardship quoted during this discussion, and so far as he was concerned he need not go beyond his own experience for such instances. He had been much persecuted in this matter, and he would tell the House what had occurred to him. He only spoke of himself, because he was familiar with the details of the case in question, but he had no doubt that similar circumstances had occurred to other people. There was the case of a man who brought an action against an individual who had inserted something in a newspaper which he (Mr. Labouchere) was connected with. This plaintiff brought an action and lost it, and costs were given against him, but he did not pay those costs. He was a man living in an hotel in London. He was not domiciled in England, and they would not often be able to get security for payment of costs from a man who was not domiciled in England, although if one could show that he was living at an hotel there would be reason to think

that the costs would be paid—and in this matter he (Mr. Labouchere) might say that he knew as much as the lawyers, having had to interest himself very largely in these matters. Well, this man brought his action against this individual and lost it, and was ordered to pay the defendant's costs. Well, in reality, he (Mr. Labouchere) was responsible for the alleged libel, and he had practically put himself into the position of the individual who had inserted the information in the paper. He (Mr. Labouchere) had to pay the costs. This person brought another action against him (Mr. Labouchere) not having paid his own costs, and he (Mr. Labouchere) had to employ eminent lawyers—one was obliged to have eminent lawyers, although they were very expensive luxuries—and on a particular day, after a number of interlocutory motions had been made, they went into Court to defend him. An affidavit was then put in by the plaintiff declaring that he was ill and not able to attend, and the case was put off for some weeks. He (Mr. Labouchere) had to pay the expense caused by this delay, and again they went into Court. The plaintiff on that occasion did not appear at all, and he (Mr. Labouchere) had to pay his own costs. He had to pay the costs of practically three actions, owing to the course pursued by this plaintiff, who never for a moment had intended to have the case tried, but had been simply actuated by a nasty, disagreeable disposition, desiring to make him (Mr. Labouchere) spend money. Well, let them take another instance. There was a Turk. That Turk was a swindler—he might say so now, because a jury had decided that a swindle had taken place. The French police had given him a statement referring to this Turk, and he published it in order to warn persons against him. The man immediately brought an action, and the case went on for a considerable time, and finally it was decided in his (Mr. Labouchere's) favour. His costs in that action amounted to £3,000 or £4,000—for he had been obliged to send to France and other places for evidence—and the Turk was ordered to pay those costs. But what did the Turk do? He went back to Turkey immediately. He (Mr. Labouchere) could only say that that was an instance of the way in which newspapers were blackmailed. The proprietors of newspapers were the persons who were supposed to attack unoffending persons, but this was the way in which they themselves were attacked. As an instance of the way in which newspapers were blackmailed, he could say that at this moment he was owed at least £7,000 for costs, which had been awarded to him by Courts of Justice, and that he would be happy to sell his entire claim to any hon. Gentleman in that House for a £50 note.

MR. HUNTER (Aberdeen, N.) said, he did not see how the evil that his hon. Friend the Member for Northampton (Mr. Labouchere) mentioned could be entirely remedied, unless they said in the Bill that no action for libel could be brought against any newspaper proprietor whatever. He (Mr. Hunter) objected to this clause in the strongest manner possible. He had strongly supported the other clauses, but this seemed to him to be an unjust provision, because it would deprive 90 out of every 100 persons of any sort of legal redress. The libel might be as notorious as possible, as palpable as possible; but under this clause a poor man would have no means of getting redress, as the poor men who would come under the description given in it would amount to 90 per cent of the population. The hon. Member for South Islington (Sir Albert Rollit) suggested that the clause should be amended, so as to allow poor men to sue in cases where there was an apparent or *primâ facie* case. Well, he (Mr. Hunter) had considered that very carefully beforehand, and the hon. and learned Attorney General carefully considered it, and he could not find any form which would enable him to carry out that object, and he did not think anybody would be able to propose an Amendment which would have the effect of carrying out that object. What protection was now given to newspapers by the existing law? It was in the Superior Courts, and the Superior Courts alone, that these enormous costs were run up, that the hon. Member for Northampton had alluded to; but in any case where they had a man of straw bringing an action in a Superior Court, they could, as the law now stood, have that case submitted to a County Court. That was the proper way to deal with such cases. It did not deprive a poor man of justice, or of any means of de-

fence, while it protected the defendant against excessive and enormous costs; and he had no doubt that if advantage had been taken of the existing law by the hon. Gentleman (Mr. Labouchere) he would have been able to show that the plaintiff was without visible means of paying his costs. Let him point out what was the real difficulty that lay behind this case. He admitted to the fullest extent the hardship inflicted upon wealthy men and wealthy newspapers by spurious actions being brought against them, but it must be remembered that newspaper proprietors were not the only persons liable to this evil. It was one of the disadvantages of wealth. If they were going to say to rich men that they were not going to be shot at by poor men, that would be tantamount to saying that poor men should not have redress from rich men. The general principle upon which they should act was, without depriving a poor man of justice, to give as much protection as possible to rich men in cases such as those referred to. It would be perfectly right in bogus cases for the Court to stop an action, but how could that be done? It could only be done by practically bringing the action before a Master or a Judge. If it was to be understood that an action was to take place "unless just cause to the contrary were shown"—which words the hon. and learned Gentleman the Attorney General understood to mean unless a man had visible means of support—that would necessitate the whole facts of the case being gone into; but suppose the words were inserted, "unless the Judge is of opinion that there is a cause of action on the merits," that would mean that the case was going to be tried before the Master on affidavits instead of before a jury on evidence, and what did that mean? Why, that a defendant was to be allowed to heap insult upon injury. It would enable a defendant probably to make out a strong case on affidavits, and the poor man might be entirely deprived of his remedy. He should be ready to protect the rich man by giving a preliminary trial before the Master; but, as the clause now stood, it would inflict the grossest injustice upon poor men to give newspaper proprietors protection to which they had no claim.

Mr. Hunter

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, he would point out to hon. Gentlemen who had spoken already this remarkable fact—that scarcely a single individual who had risen to speak in favour of the clause had expressed himself in favour of it as it stood, but everyone who had spoken declared that something ought to be done to put everything right. One hon. Member had suggested that uncertified bankrupts should be taken out of the Bill, and that that would put everything right. Another hon. Member had suggested that a plaintiff having no visible means of being able to pay the costs should be struck out, and that that would make everything right; and the hon. Member for Northampton had suggested that to insert the words "the Judge should have power to" before the words "make an order," would set the matter right. Many recommendations had in this way been made, but it was a remarkable fact that no one who had made one of these suggestions had had the courage to write down what he suggested on a piece of paper and submit it to the Chairman. This clause was undoubtedly intended, and very properly intended, to meet a particular case, but he supposed all those in favour of the clause would agree that it was desirable that whatever the circumstances were, where a libel had been committed, there should be the means of taking action against the proprietor or editor of the newspaper. The great difficulty of dealing with a clause of this kind lay in the fact that they could not draw a line. No one could draw a line in his own mind, nor could they draw up an Amendment on the Paper which would give a fair and just line. It was proposed by the clause to leave it to the Judge to require a plaintiff to give security for costs unless just cause to the contrary was shown. But what was "just cause" in such a matter? Was it just cause that a man was poor? Surely, everyone would at once repudiate the idea that a man was to be excluded from getting redress for a grievous wrong—which they would for argument's sake assume was a grievous wrong—merely because he was a poor man. Everyone would repudiate that idea. Well, was it strong cause that the defendant was able to assert in the strongest

words to the Judge that there was no ground for the action? Surely, everyone would admit that no affidavit, however strong, made by a defendant should have the slightest weight attached to it in such a case; therefore it came to this —that a Judge, before he could ascertain whether there was just cause or not, must make a slip-shod, but still a pretty full inquiry into the merits of the case, and should practically decide the case before there was an opportunity for its being tried by a jury. The hon. Member for Northampton (Mr. Labouchere) told them of the vast cost he was put to in the case of the Turk to whom he referred—the vast cost he was put to in making inquiries in France and elsewhere. But he would have had to make those inquiries before he could prove the ground why the Turk should be precluded from bringing his action against him. Supposing that the Turk had been right and the hon. Member for Northampton wrong—an assumption which, he admitted, was very difficult to make, but he thought for argument's sake it might be ventured upon—assuming that this Turk suing the editor of a well-known newspaper was right, and that the editor of a well-known newspaper was wrong, in that case the poor Turk would have had to incur all the expense of making those inquiries in France for the purpose of satisfying the Judge, preliminary to the hearing of the action, that he had just cause for raising his action. The result, therefore, would be that that would put a man of no means under the absolute necessity of going to the expense, probably by the aid of some friend, of getting up an enormous case preliminary only to the question as to whether or not he was to be allowed to sue? He (Mr. J. H. A. Macdonald) thought that in many cases such a provision of law as this would lead to great injustice and oppression. He concurred in what the hon. Member for North Aberdeen (Mr. Hunter) had said, that while it was hard upon rich people to be mulcted in certain sums of money in defending themselves from such actions as those referred to, it would be still more hard that poor men should be precluded from bringing their cases before a Court in order to obtain redress merely because of their poverty. Grave injustice would result from any such provision of law. He himself felt very much astonished to hear that the law in this country had gone so far as hon. Members represented it had gone. He thought it had gone a very great length indeed when a suitor, however strong his case might be, and however certain he might feel that a jury would award him a certain sum, should be precluded from having his case decided in the best Court to hear such a case, and was obliged to go to a County Court. ["No, no!"] Yes; he thought that that was the law; he had been so informed. The Judge seemed to have a discretion in the matter that the choice of the Court was not left to the plaintiff. However good the case he might have, if it was shown that he had no means of paying costs, the Judge might in his discretion send the case—it might be a very important one—to a very inferior Court. That was going a long way indeed towards relieving defendants of the difficulties of this clause, and if the Committee were to carry it any further they would be doing an act of gross injustice.

MR. HENRY H. FOWLER (Wolverhampton, E.) said, he agreed that they should have one uniform law applied to all cases, whether cases of libel or of employers' liability, whether the cases were against railway companies, or whoever they were against. The Committee should be alive to what was already the state of the law. The hon. Member for Northampton (Mr. Labouchere) was not in his place, therefore he would not reply to some observations of that hon. Gentleman; but the hon. Member had asked what the existing law was, and he (Mr. Henry H. Fowler) was speaking in the presence of the hon. and learned Gentleman the Attorney General, and, therefore, would be corrected if he was inaccurate in what he was about to say in reply to that question. At the present time, as he understood it, the County Court had no jurisdiction to try libel cases, except special cases provided for in the County Courts Acts proposed to be inserted in the Consolidation Bill now before Parliament. He would ask the House to see what protection was given to poor litigants, and whether it was not ample to meet the special cases put before the Committee with reference to the actions brought against newspapers? The existing law said that any person against whom an action—say for libel—was brought, on affidavit made that the

plaintiff had no visible means of paying the costs of the defendant—not, as the hon. and learned Lord Advocate (Mr. J. H. A. Macdonald) had said, had no visible means of subsistence—if the verdict was given against him, thereupon the Judge had power to do two of three things, to make an order that unless the plaintiff gave security for the costs, or satisfied the Judge that he had cause of action fit to be presented to the Court, all proceedings in the action might be stayed; and there was the alternative case of the plaintiff being unable, or unwilling, either one or the other, to give such security, or failing to satisfy the Judge that he had good cause of action, the Judge could make an order remitting the whole case for trial to the County Court, which would then have jurisdiction to try the case at, as everyone knew, a very moderate rate of costs. That was the general law with reference to these actions of *tort*. Was there any reason why actions for libel should be treated differently to all other actions? The hon. Member for West St. Pancras (Mr. Lawson) put very powerfully the case of actions brought by poor men who had been guilty of offences, and whose proceedings were made known for the benefit of the public. But there was also the case of the innocent poor man wishing to bring an action for libel which had to be considered. He (Mr. Henry H. Fowler) wished to reserve to himself every right to extend or modify this clause which it was proposed to re-enact this Session in the Consolidating Bill; but he thought that if the general law of the land was to be altered in this manner it ought to be in a Bill for the special purpose. For his own part, he should have some difficulty in supporting the third reading of this Bill if this clause were left in it.

Question put, and *negatived*.

Clause 8 (On prosecution for libel knowledge of person proceeded against to be shown).

MR. OSBORNE MORGAN (Denbighshire, E.) said, he had several Amendments to move which would make the clause read as follows:—

"No person shall be found guilty upon the trial of any indictment for information for the publication of a libel, if it be proved on behalf of the defence that such person was not party or privy to the publication of the libel charged in such indictment or information."

Mr. Henry H. Fowler

These Amendments—the effect of which would be to transfer the burden of proof from the prosecutor to the defendant, on whom it naturally rested — were so reasonable that he thought no objection would be taken to them.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, he desired to say that he had an objection to this clause; yet he quite agreed that the Amendments proposed were improvements, and he thought, therefore, that the hon. Baronet in charge of the Bill would be well advised if he allowed the Amendments to be accepted, and then any further question which would arise could be discussed when the Question was put that the clause stand part of the Bill.

On the Motion of Mr. OSBORNE MORGAN, the following Amendments made:—In page 3, line 12, leave out "unless," and insert "if;" line 13, leave out "by affirmative evidence;" same line, leave out "prosecution," and insert "defence;" and, in line 14, after "was," insert "not."

MR. DARLING (Deptford) said, on this clause he desired to move the following Amendment:—In page 3, line 15, after "information," to add "or to the publication of the newspaper wherein such libel was published." The object of the clause was to provide that no person should be found guilty of libel unless it were proved by the prosecution that he was privy to its publication. It was obvious under this clause, as it stood, that an editor or proprietor of a newspaper might escape punishment for libel by saying that he was away when the particular libel was published, and that, though it was true he was responsible for the publication of the paper, he had no connection with the offence complained of, having been away amusing himself somewhere else than at the office of the newspaper, and he might plead that the libel was really the work of some reporter or sub-editor. Newspaper proprietors were very frequently persons in very flourishing circumstances—for instance, a person to whom £7,000 was owing in the shape of costs awarded, but not recovered, must be a gentleman in flourishing circumstances. Well, it might happen that this gentleman—this editor or proprietor—was fulfilling duties in Parliament, and that,

although responsible for the production of his paper, he interested himself not in its management, not in its supervision, in order to see that persons were not libelled in it, but in discussing the provisions of a new law for the amendment of the Law of Libel in Parliament. While he was doing that it was possible that a very bad libel might be inserted in his paper which would have never appeared had he paid closer attention to its supervision. In such a case he might simply say—"I left the management of the paper in the hands of persons in an inferior position, and though I have taken no trouble to see whether or not they are inserting libels I have divested myself of responsibility by handing the matter over to them." His (Mr. Darling's) Amendment was to provide that no such answer as that should be sufficient to release a newspaper editor or proprietor from responsibility.

Amendment proposed,

In page 3, line 15, after "information," to add the words, "or to the publication of the newspaper wherein such libel was published." —(*Mr. Darling.*)

Question proposed, "That those words be there inserted."

SIR ALGERNON BORTHWICK (Kensington, S.) said, he thought the hon. and learned Member had entirely mistaken the object of the clause, as he spoke as if it were intended to shield some guilty party. It would do nothing of the kind, but would entirely protect the innocent. The Committee had had its attention drawn to the fact that in certain cases newspaper proprietors managed their own businesses, and were directly responsible for what appeared in the columns of their journals—that was to say, they had given such and such orders, and were responsible for the carrying out of those orders. The clause was not for the protection of such as those at all; it was intended for the protection of another class of proprietors. Newspapers were generally owned by a number of proprietors who were essentially absentees from the places where those newspapers were published. Papers, for instance, in Liverpool and in other Provincial parts of the country, were very often owned by persons who had nothing whatever to do with their production beyond supplying the funds for carrying them on. If proprietors took part in the management of their papers they certainly ought to be responsible for what appeared in them; but the object of the clause was to prevent the imprisonment of gentlemen who had nothing to do with the libels, and very little to do with the newspapers, and also to save the publisher—an unhappy person, who was very often punished in these cases. It was an old joke against the newspapers that some of them kept a man who was ready to go to prison if they were prosecuted. The publisher was a man who had nothing to do with the production of a newspaper or its issue, except to hand over the sheets which he had never read to the newsmen and newsboys. In these modern days the publisher knew nothing whatever as to what was in the papers, and this law making a publisher responsible came down from times when those individuals occupied a very different position in connection with newspapers—from days when they took a responsible part in the production of the papers. But in these days the publisher and the proprietor were persons who ought not to be held criminally responsible for libel. That a proprietor should have to pay costs was, however, natural—that he should have to bear the responsibility for the negligence or the misdeeds of his servants was very proper; but he should not be held criminally guilty of libel when he could show that he was not privy or party to the publication of the libel charged.

MR. OSBORNE MORGAN said, he hoped the Government would not accept the Amendment, as its effect would be to render the clause entirely nugatory.

MR. BRADLAUGH (Northampton) said, he did not know whether the Committee were quite aware—he begged to draw the attention of the hon. and learned Gentleman the Attorney General to it—that the clause as now amended, even with the addition of the hon. and learned Member, would entirely change the law. He said that was a great submission. It had been his duty, unfortunately, to have to argue the point more than once at considerable length, and he would point out that in the case of the "Queen *v.* Holbrook" the law was held to be just the reverse of what they now proposed to make it, with reference to the person publishing a paper, by the clause as it now stood. The clause, with the

words proposed to be added by the hon. and learned Gentleman, would read—

"No person shall be found guilty upon the trial of any indictment or information for the publication of a libel, if it be proved on behalf of the defence that such person was not party or privy to the publication of the libel charged in such indictment or information."

By the decision to which he had referred, it was not for the defendant to prove that he was not privy or party to the publication of the libel, but it rested with the prosecution to prove that he was privy to it. [The ATTORNEY GENERAL dissented.] With all respect for the superior knowledge of the hon. and learned Gentleman the Attorney General on this matter, he begged to say that he knew something of the case, the task having been more than once imposed upon him of arguing the matter before the Courts of Law. He had the clearest conviction that the law as laid down by the majority of the Judges was as he stated it. There had been a difference of opinion, no doubt, amongst the Judges; but the law as laid down in the case of the "Queen *v.* Holbrook" was the opinion of the majority. It was clear, therefore, that, by the proposal they were now making, they were changing the old Law of Libel. He did not say whether this was wise or not; but he would point out to the promoter of the Bill that he was very much more likely to go to prison for libel if he passed his own provision than he would be under the existing law.

SIR RICHARD WEBSTER said, he would point out that, although the hon. Member for Northampton said he was not entitled to be described as "the learned Member," he had studied legal questions very deeply, and was as deserving of that title as a great many learned Members. The hon. Member had intimate knowledge of many legal points, and he therefore could scarcely be looked upon as a layman in putting this matter before the Committee. In the present instance, however, the hon. Member had for once made a mistake in a point of law. The clause of the Act 6 & 7 *Vict.* c. 96, upon which the case of the "Queen *v.* Holbrook" was decided, provided that whenever on the trial of an indictment for the publication of a libel evidence was given which established a presumptive case of publication against the defendant by the act of any other person under his authority, it should be competent for a defendant to prove that the publication was made without his knowledge or consent, and that it did not arise from any want of due care on his part.

MR. BRADLAUGH (Northampton) said, that under the section there was no presumptive case of publication required to be made out.

SIR RICHARD WEBSTER said, that the hon. Member probably thought that the omission of the words "presumptive of publication" might alter the law. As a matter of fact, Section 8 in the Bill, as amended, would be more in favour of defendants than the section of the old law to which reference had been made. There must be publication by servants or by himself, but in order to remove responsibility for the act of a servant it was competent for a defendant to show that he was not privy or party to the publication. Whether that was a prudent alteration of the law he did not argue; but he submitted that the hon. Member for Northampton was not quite correctly informed when he said that the law would be strengthened as against the defendant.

MR. LAWSON (St. Pancras, W.) said, he would point out to the hon. Gentleman in charge of the Bill that, supposing the Amendment of the hon. and learned Gentleman the Member for Deptford (Mr. Darling) was carried, the clause would become so meaningless that it would be better to drop it altogether. He thought that the Amendment was moved with the object of making the clause nugatory; and under the circumstances, if the opinion of the Committee was in harmony with that of the hon. and learned Gentleman, he thought the clause had better be omitted.

MR. HUNTER (Aberdeen, N.) said, that the clause related entirely to criminal charges, and he thought that some hon. Members were under a misapprehension. It was quite right that a newspaper proprietor should be held responsible in damages to the fullest extent for the conduct of his servants; but to say that a newspaper proprietor should be punished for an act of which he had no knowledge would be to introduce the principle of what might be called Chinese or vicarious punishment. It would be just the same as

hanging a man for a murder committed by someone else. In Scotland, while damages might be recovered for libel, he did not recollect in the whole course of his life a single case of criminal prosecution for libel, and he would venture to say that, so far from the Press in Scotland being more licentious than the Press of England, it was much less so. He thought they would find that, notwithstanding the absence in practice of any criminal proceedings for libel in Scotland that there was not a single newspaper published in that country which would call itself a society newspaper—the class of newspaper in which these libels mostly occurred. If the hon. Member (Sir Algernon Borthwick) had proposed that all criminal indictments for libel should be done away with, and a civil remedy only retained, it would be an improvement in the law.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, the hon. Gentleman who had just sat down was correct in his statement that criminal prosecutions for libel against newspapers were of rare occurrence in Scotland. It would not be well, however, to do away with a law which would prevent libels of a gross kind, such as those published, for instance, to extort money; and there had been actions in such cases. At the same time, he acknowledged that criminal prosecutions against newspapers for libel were practically obsolete in Scotland.

MR. BOWEN ROWLANDS (Cardiganshire) said, that while no one desired to relieve the proprietors of newspapers from their civil liability and from damages for the acts of their servants, a very different class of considerations came before them when they considered their criminal responsibility. He wished the conditions in England were the same as those represented by several hon. Members to exist in Scotland, and that criminal prosecutions for libel were of rare occurrence, so that they should only be resorted to in aggravated cases in which such remedy appeared to be imperatively demanded. He thought that the Committee should be very careful before it did anything which would imply, on its part, a desire to extend the liability of newspaper proprietors. They had heard a great deal in the course of the discussion on this clause of hardship to private individuals who were sued; but there was a class of hardship which had not hitherto been mentioned, arising from the fact that sometimes a newspaper was published by a Company. The signature to the original memoranda or articles of association might be that of some person who was met in the street, and induced to contribute a small sum. Although that person might live some distance away, he was liable to be brought from a distance and to be criminally prosecuted—nay, to be fined or imprisoned—unless he could prove to a jury—and this at his own cost and inconvenience—that he was within the ruling in "the Queen *v.* Holbrook." The general consensus of opinion in the Profession with regard to the case of "the Queen *v.* Holbrook" was in accordance with the opinion which had been expressed by the hon. and learned Attorney General. He entirely agreed with the hon. and learned Attorney General that the words "presumptive case of publication" really meant nothing, because the presumptive evidence might be given by proof of some such act as signing the articles of association, or memoranda, or something of that kind, which, if it were absent, the Judge would not be justified in leaving the case to the jury at all. He (Mr. Bowen Rowlands) was sensible of the great pain and injury individuals might suffer from the abuse of the great powers which the Press in the country possessed; but that was not sufficient to induce him to accept, or to hope that the Committee would accept, the Amendment of the hon. and learned Gentleman the Member for Deptford (Mr. Darling), which would have the effect of rendering nugatory the clause, whether in its original shape or in the altered shape proposed by the right hon. and learned Gentleman the Member for East Denbighshire (Mr. Osborne Morgan). Whether it was wise to add to the Bill any clause which affected the onus of proof he did not pretend to say; but, inasmuch as the Committee had already accepted the Amendment of the right hon. and learned Gentleman the Member for East Denbighshire, it would be simply stultifying itself if it went further, and accepted the Amendment of the hon. and learned Member for Deptford, which would render the previous

resolution of the Committee on the clause entirely nugatory.

SIR RICHARD WEBSTER said, he was not satisfied with the language of the Amendment, and it was as well that he should state fairly at once how he regarded the Amendment. He agreed with the hon. Gentleman the Member for West St. Pancras (Mr. Lawson) that the words of the Amendment were too wide. But in all probability there was one particular class of persons with regard to whom some words should be inserted. He thought some words should be inserted to meet the case of a newspaper proprietor who went away leaving the whole management and control to someone else, reckless as to what might be the actual conduct of the persons in charge of the paper.

MR. DARLING said, that after what had been said by the hon. and learned Attorney General, he thought the Committee would agree with him that it would not be wise to press the Amendment. The object he had in putting the Amendment down had really been served, because it was perfectly obvious that before the Bill became law something would have to be done to meet the difficulty which he had in his mind. He begged leave to withdraw the Amendment.

Motion made, and Question proposed, "That the Amendment be, by leave, withdrawn."—(*Mr. Darling.*)

MR. HOWELL (Bethnal Green, N.E.) said, he was sorry the hon. and learned Gentleman the Member for Deptford had consented to withdraw the Amendment, because it seemed to him, after all was said and done, that somebody must be made responsible for these libels. He was exceedingly sorry—and he was sure that anyone who knew anything of his past history would know he had reason to be sorry—to support anything which would impose further restrictions on the newspaper Press. But what some of them asked was not that there should be further restrictions—the object of the measure was to remove restrictions which already existed—but under the words of Clause 8, "such person was party or privy to the publication of the libel," it would be difficult, in a great number of cases, to find out anyone who was actually responsible for what took place. It was all very well for hon. Gentlemen in the House who were connected with newspapers to speak of newspapers as though they were all of them conducted as certain newspapers were which one would undoubtedly have in his mind when discussing this matter. But there were newspapers and newspapers, and anyone acquainted with the Press of this country knew very well that some newspapers, instead of being edited in the ordinary sense, were practically handed over to what might be called the "printer's devil," and what kind of responsibility they could get out of that kind of editing was well known. The hon. and learned Attorney General intimated that it was possible to meet this difficulty by fixing the liability upon someone; if anything was done so that the liability should be absolutely fixed on some persons responsible, then it would be all right enough; but some hon. Members seemed to him to treat very lightly this question of libelling individuals. He could quite understand that many actions for libel had been brought against newspapers which ought never to have been brought. But let them take a *bonâ fide* case, the case of a man who had been robbed of his good name and his good character, and hon. Members would agree that the Press possessed the power of robbing a man of his good reputation. He thought it was a very grave thing indeed to relieve persons who might do as much injury to an individual man or woman, as the case might be, as though they half murdered him in the streets and robbed him of his watch. In many instances men had been absolutely ruined for life by the way in which they had been libelled by newspapers which had escaped penalty. There was one instance which might be known to hon. Gentlemen in the House, the case of a man who would have been an ornament to the House itself. That man tried to get into the House, but he was grossly libelled by some portions of the London Press. He referred to Mr. George Odger. When that man was dead some of the newspapers which had libelled him so grossly made much ado with regard to a public funeral. He (Mr. Howell) wanted to preserve the character of a man while he was living, and not to raise a monument over him when he was dead. He wished they could get rid of the Law of Libel in so

far as it appertained to a criminal indictment, but if that were done there must be some other means of reaching men at fault. There were men of straw connected with newspapers as well as among those who took action against newspapers, and, therefore, civil liability might not be enough to deter such men from libelling others.

Question put, and *agreed to.*

MR. RATHBONE (Carnarvonshire, Arfon) said, he was as anxious as anyone in the House that the Press of the country should be protected in its public functions, which, they must all admit, it discharged with great power and greater advantage to the public than the Press of any other country in the world. He thought it was also clear that those connected with newspapers should be protected against any criminal prosecution if they could show that they had used due caution in carrying on their trade. He had previously had to consider this question from the defendant's side, as it were, and not from the plaintiff's, because in the case of shipowners the same question arose. Shipowners carried on a trade which might be dangerous to life, and what they had always contended was that they were quite ready to be made responsible, even to the extent of being imprisoned, unless they could show they had used due care and caution for the protection of life and property. Therefore, what he proposed to add at the end of the clause was—

"And if it be shown to the satisfaction of the Court that the defendant had used all reasonable means to guard against such offences."

He did not think that any respectable newspaper proprietor would object to those words. It would be, of course, for them to show that, if they had absented themselves from their business, they had left it in charge of a competent and proper person.

Amendment proposed,

In page 3, to add at end of the Clause "and if it be shown to the satisfaction of the Court that the defendant has used all reasonable means to guard against such offence."—(*Mr. Rathbone.*)

Question proposed, "That those words be there added."

SIR RICHARD WEBSTER said, he thought that the words "to the satisfaction of the Court" were scarcely apt to use in the case of criminal proceedings. Possibly the hon. Member would be satisfied if his Amendment ran "and that the defendant has used all reasonable means to guard against such offence." Of course, it was for the Committee to say whether they thought any such words as these should be inserted. The words of the law at present were "and that the said publication did not arise from want of due care and caution on his part." If such a set of words were added, he thought that, in all probability, newspaper proprietors would be quite satisfied, and that would provide protection in cases in which proprietors took no active part in the conduct of the newspaper, and in other exceptional cases. The words certainly would do no practical harm to those respectable newspaper proprietors who desired to see the law strengthened in cases where there was careless and improper conduct.

MR. RATHBONE expressed his willingness to accept the suggestion of the hon. and learned Attorney General, and asked leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 3, at end of Clause, insert "that the said publication did not arise from want of due care or caution on his part."—(*Mr. Attorney General.*)

Question, "That these words be there inserted," put, and *agreed to.*

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. RADCLIFFE COOKE (Newington, W.) said, that, of course, if the Committee thought it desirable to paraphrase a section of Lord Campbell's Act, as they did in this clause, they were at liberty to do so. In his judgment, however, the law at present provided a far better remedy than that proposed by this clause for the protection of newspapers or of persons who were criminally prosecuted. This clause rather weakened than strengthened the position of such persons.

MR. JENNINGS (Stockport) said, he hoped the Committee would accept the clause as amended, because the object of it was not in the least degree

to give protection to newspapers from the consequence of libel, but simply to protect persons who were connected with newspapers from being sent to prison for matters of which they had no cognizance. At present a part proprietor of a newspaper, a man who might probably have had a share in a newspaper left to him, and who had no control in the management, might be proceeded against criminally by any person who felt himself aggrieved, and possibly sent to prison for a libel of which he had no knowledge whatever. It was to prevent this that this clause had been introduced. The objection of the hon. Member for North-East Bethnal Green (Mr. Howell), and the very reasonable demand expressed by the hon. Gentleman that the guilty persons should be found out, were sufficiently met by the fact that, under the law as it at present stood, the guilty person was punished, and the newspaper had to pay heavily for the libel. He earnestly hoped that provision would be made that no one should be punished who had no knowledge of the libel complained of.

Question put, and *agreed to.*

Clause 9 (Person proceeded against criminally and the husband or wife of such person a competent witness).

Mr. TOMLINSON (Preston) said, that this clause raised again a question which had been dealt with on one of the previous clauses—namely, whether it was desirable to introduce in a special department of justice changes of procedure which, for the entire Criminal Law, were continued in another Bill? It might be said that there were exceptional circumstances connected with the law of libel. It might be that an indictment was sometimes preferred to a civil action in order to keep certain evidence out. At the same time he would like to hear something from some responsible Member of the Government as to whether it was desirable to enact for the purpose of a special department of law that which was already proposed to be made the general rule in the Criminal Law.

The ATTORNEY GENERAL (Sir Richard Webster) (Isle of Wight) said, he hoped the Committee would allow this clause to be inserted. There were 15 or 16 existing Acts of Parliament, in every one of which they had recognized the principle that the law should be amended in the direction of this clause.

Clause *agreed to.*

Clause 10 (Act not to extend to Scotland).

Mr. DARLING (Deptford) said, his object in putting down the Amendment that this Bill should not apply to Ireland was that by the clause which they had just passed a proposal of the Criminal Evidence Amendment Bill became law in this Bill. They knew very well that hon. Gentlemen representing Irish constituencies particularly objected to the provision which had just been inserted in this Bill—they particularly objected that in criminal cases the defendant should be competent to give evidence. That had been objected to in former discussions, and it was because he was solicitous respecting the prejudices of hon. Members that he had put down this Amendment. He put it down in order that, if the Irish Members desired to do so, they might give expression to their opinions that, after all, it was advisable that in some cases, at all events, the defendants should be allowed to give evidence in criminal cases in Ireland, and that Judges and magistrates in Ireland were a class of people who might be trusted not to abuse the rights of prisoners to give evidence. He did not himself consider that Ireland should be excluded from the benefits of this Act, unless the Irish Members wished it. It had been said by a Scotch Member that the only good thing in the Bill was that it did not apply to Scotland. If Irish Members wished it to apply to their country they would say so. He would not press his Amendment.

The ATTORNEY GENERAL (Sir Richard Webster) (Isle of Wight) said, he sincerely trusted that the benefits of the Bill would be extended to newspaper proprietors in Ireland, who ought to have those benefits just as much as any other proprietors. Out of 16 Acts of Parliament which created new offences, in regard to which defendants were allowed to give evidence, 14 applied to Ireland, and it would be a monstrous thing if the Committee were to exclude Ireland from the operation of the Bill.

The CHAIRMAN: I do not understand the hon. and learned Gentleman (Mr. Darling) to move his Amendment.

MR. DARLING said, that he would not move it.

MR. EDWARD HARRINGTON (Kerry, W.) submitted that the hon. and learned Gentleman had moved the Amendment.

THE CHAIRMAN: Before I attempted to put it to the Committee, I asked the hon. and learned Gentleman (Mr. Darling) whether he intended to propose it.

Clause *agreed to.*

Clause 11 (Short title) *agreed to.*

MR. SYDNEY GEDGE (Stockport) said, he had now to propose a new clause, which had been entrusted to him by a society representing many of the most important booksellers of the country, in order to give them what they felt to be a necessary protection from actions for libel to which they were at present subjected, under circumstances which certainly did not render them guilty of having taken part in the libel. It was a common thing for a gentleman to write to a bookseller, or to go to a bookseller, and order a particular book to be sent from London through that bookseller. The bookseller very possibly knew nothing about the contents of the book, and had nothing whatever to do with any libel which it might contain. It had often been made a matter of complaint against Mr. Mudie and other large firms that they really selected the books which appeared on their stalls, eliminating some on the ground that they contained matters that they did not approve of, matters of a political, libellous, or scandalous nature. It might be said that the clause, as it stood on the Notice Paper, would enable booksellers to sell books which had been printed and published abroad, and the printer and publisher of which could not be got at, and that, therefore, the person libelled would in such a case have no remedy. He, therefore, begged to move the clause in the following form:—

"In an action for libel contained in any book, magazine, pamphlet, or printed document other than a newspaper, such book, magazine, pamphlet, or printed document, having been published within the United Kingdom, and bearing the names and addresses of the publisher and printer thereof, against any person other than the author or part author or publisher or printer thereof, if it shall appear at the trial that the publishing of the libel complained of was the sale by the defendant of such book, magazine, pamphlet, or printed document,

—therefore they would always have a printer and publisher in the United Kingdom against whom an aggrieved person could bring an action—

"And that such sale was made by the defendant in ignorance of the existence of the libel complained of, the plaintiff shall not be entitled to recover any damages except such special damages as he can prove he has sustained by such publishing of such libel."

Therefore, if a particular act of publishing or sale by any bookseller of any book or pamphlet had done injury to the libelled person, then the bookseller, however innocent he might be, might still be rendered liable for an action for damages. He thought that with these safeguards the Committee would see that nothing more was asked than might be fairly asked; and, therefore, he trusted they would assent to the clause he proposed.

New Clause—(Extension of the Act to books, &c.)—(*Mr. Sydney Gedge,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. KELLY (Camberwell, N.) said, he had already pointed out to his hon. Friend that, as the clause stood, if a book were printed abroad and sent over here, there would be no remedy, however gross the libel was, and in consequence its scope had been limited to matter published in the United Kingdom. He could not help thinking that this clause was wholly foreign to the scope of the Bill; they were dealing in the Bill with the protection of newspapers, and he did not consider it proper to go into the general question of the Law of Libel. That part of the clause dealing with the ignorance of the person selling a book was most illusory, because, if a bookseller chose to state that he had never looked into the book, it would not be in anybody's power to prove the opposite, and it would be absolutely impossible for the aggrieved person to obtain any remedy.

MR. DARLING (Deptford) said, he hoped the Committee would not add this clause to the Bill. It appeared to him to be a most dangerous clause, because it provided that a man who already was liable to a criminal prosecution for publishing a libel should not be liable to a civil action, unless the person he

published the libel about could prove he had sustained special damage. They had passed Clause 5, which made provision concerning special damage. He was quite certain many Members of the Committee voted for that clause in the belief that the provision about special damage would somehow or other be removed, and some other qualification substituted for it. A newspaper proprietor or editor, or those who got up the newspaper from day to day, had control over it. The only reason that a man had for not selling scurrilous books was that he knew very well that if in one of them there was a libellous passage, he might be sued and liable in damages for scattering broadcast a libel. If the Committee passed this clause, anyone who was libelled would have no remedy against a bookseller, unless he could prove that he had sustained damage owing to the sale of the particular books the bookseller had sold. Booksellers ought to be careful as to the kind of literature they dealt in. For these reasons, and also for the reason that the clause was not germane to a Newspaper Libel Bill, he hoped the clause would not be read a second time.

Question put, and *negatived.*

SIR ROPER LETHBRIDGE (Kensington, N.) said, the object of the clause of which he had given Notice was to extend to writers in newspapers and others similarly situated the protection already extended, or supposed to be extended, to the proprietors and editors and other persons concerned in the publication. With the permission of the Committee, however, he would alter the exact terms of the clause, in deference to representations which had been made to him by his hon. and learned Friend the Attorney General that the wording of the clause, as it stood on the Paper, was somewhat too wide. As he proposed to move it, the clause would stand thus—

"No summons shall be issued by any magistrate against any person charged with having committed a libel, nor shall any criminal proceedings be initiated in any Court without the written *fiat* of the Director of Public Prosecutions in England or the Attorney General in Ireland being first had and obtained."

The wording that he had now adopted was exactly that which was already to be found in the existing Act, with the exception of the first words, which extended the protection of the law not only to proprietors of newspapers, to editors, and to other persons connected with the publication of newspapers, but also to writers in newspapers. With regard to the general principle of the advantage of there being a public officer to stand between vexatious complainants —between blackmailing enterprizes and a writer for, or proprietors, or editors, of a newspaper—he might say he was himself somewhat in the position of an expert, because, in the official position which he had the honour to hold in India, he was, in a way, the intermediary between the Government and Government officers and the Vernacular Press, and when Government officers desired to put into action the procedure of the Vernacular Press Act, the proposals were, in due course of official routine, submitted to him for his opinion, in order that he could advise the Government. He was strongly of opinion it was very desirable there should be a public officer of this description, and that protection should not only be extended to proprietors and editors of newspapers, but also to all writers in newspapers and other persons similarly situated. He should have preferred to have adhered to the terms of the clause on the Paper; because he had been informed that, as the law in England stood, the direction of the Public Prosecutor was not very often efficiently exercised in this matter. No doubt, the Attorney General would correct him if in that impression he was wrong. He certainly thought that the direction, such as it was, should not be confined merely to proprietors and editors of newspapers, but should extend to writers in newspapers. He, therefore, begged to move the clause.

New Clause—

"No summons shall be issued by any magistrate against any person charged with having committed a libel, nor shall any criminal proceedings be initiated in any Court without the written *fiat* of the Director of Public Prosecutions in England or the Attorney General in Ireland being first had and obtained,"—(*Sir Roper Lethbridge,*)

—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, it was perfectly impossible for him to support the clause, and he hoped he had not led his hon. Friend to think that he had the slightest intention of supporting it. What he had done was to point out to the hon. Gentleman that the clause he had put down was one which would create an entirely new tribunal, and one which was practically incompatible with the discharge of Public Business. Let him say why he thought the clause ought not to be adopted. The proprietor, publisher, editor, or persons responsible for the publication of a newspaper, could not be proceeded against criminally, without the *fiat* of the Public Prosecutor, and he never heard it suggested that there had been any unfairness in the working of the existing Act. What did the hon. Gentleman suggest? Why, that the exemption should be extended to the writer and publisher of every single libel. He was sure there were some Members of the Committee who remembered the discussion at the time the Act of 1881 was passed. It was felt then that some protection was required for newspaper proprietors and editors, and accordingly exceptional legislation took place, though not without considerable misgiving. Some thought even then they were going too far. Could it be suggested that a man who sat down and wrote a malicious libel, not only in newspaper but in a letter, should also be protected? On what public grounds could it be said that this protection should be extended to the writers in newspapers? In order to justify such an amendment of the law, his hon. Friend must have an overwhelming case.

MR. LABOUCHERE (Northampton) said, that when the Newspaper Libel Bill was brought in in 1881, it was argued that this protection must be limited to proprietors and editors of newspapers. The Attorney General now said it would be perfectly monstrous that this protection should be extended to a writer for a newspaper, because he wrote his article in cold blood. [Sir RICHARD WEBSTER: No, no!] The editor himself very frequently wrote a libel, and wrote it in cold blood. [*Cries of* "Oh!"] Well, in hot blood. An editor was supposed to look over all the articles which appeared in his paper, and that, at least, he did in cold blood. The writer of a libel might be carried away by his feelings; but the editor sat calmly and coolly at his desk, and decided whether the writer had gone further than he ought to. Under these circumstances, it seemed to him (Mr. Labouchere) it was perfectly reasonable that this protection should be extended to the writers for newspapers. He never before understood the distinction between the proprietors and editors of newspapers and the rest of the public. He had always asked that the same protection should be afforded to the entire public as was afforded by the Newspaper Libel Act to editors and proprietors of newspapers.

Question put, and *negatived.*

MR. LABOUCHERE said, that Clause 7 was not passed. He was under the impression it would be passed, and, therefore, he did not put down his own clause. The Committee would remember that when the discussion on that clause was proceeding, he pointed out, as one of the monstrosities of the present system, that it was impossible to obtain security for costs against anyone who was not domiciled in this country. His right hon. and learned Friend the Member for East Denbighshire (Mr. Osborne Morgan) contested that point with him. He (Mr. Labouchere) went to the Library and got an authority which he had no doubt the right hon. and learned Gentleman would accept; it was a book by George Osborne Morgan, Q.C., M.P.

THE CHAIRMAN: I do not understand what the hon. Gentleman proposes.

MR. LABOUCHERE: My clause relates to the question of domicile.

THE CHAIRMAN: The Committee has refused to grant any privileges with regard to costs, and, therefore, it is not now competent to submit any proposal for the security of costs.

Bill *reported;* as amended, to be considered upon *Wednesday* next, and to be *printed.* [Bill 294.]

REFORMATORY SCHOOLS ACT (1866) AMENDMENT BILL.—[BILL 161.]

(*Mr. Dugdale, Mr. Whitmore, Mr. Wharton,* (*Mr. Curzon, Mr. Dixon, Mr. Mark Stewart.*)

COMMITTEE. [*Progress 6th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 2 (Youthful offenders may be sent to certified reformatories without the imposition of a term of imprisonment).

Amendment proposed,

In page 1, line 24, to leave out from "by" to end of Clause, in order to add "justices of the peace acting in and for the petty sessional division of the county, or in and for the borough, where the offender was convicted."

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived.*

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 3 (Temporary detention).

MR. TOMLINSON (Preston) said, it appeared to him that by the clause they were departing from what had been the system of criminal administration. Great care ought to be taken as to the places where persons were to be temporarily detained; in fact, there was an elaborate system by which all prisons were under the supervision of the Home Office. Under this clause there was to be a system of private prisons, which were to be under no supervision, so far as he could make out. He was quite aware that such a system as was proposed was in operation in respect to industrial schools; but he did not think his hon. and learned Friend (Mr. Dugdale) would dispute his statement, that there was a broad distinction between industrial and reformatory schools. Reformatory schools were only intended for those against whom there was some charge of a criminal nature. He begged to move the Amendment which stood in his name.

Amendment proposed,

In page 1, line 29, leave out the words from "direct" to "therein" in page 2, line 2, and insert "remand such offender."—(*Mr. Tomlinson.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. DUGDALE (Warwickshire, Nuneaton) said, he could not accept the Amendment of his hon. and learned Friend. The clause which had just been passed provided that on a child being convicted, the magistrates might send him straightway to a reformatory school, and Clause 3 was intended to provide for cases where a reformatory school could not be found at the time. His hope and expectation was that when this Bill was passed, Benches of Magistrates would have a register of the vacancies which existed in reformatory schools, so that when a child was convicted of an offence they would know where he could be sent. The clause provided for the temporary detention of a child in some place, not a prison, until a reformatory school could be found to which he might be sent. The effect of the Amendment would be that the child would be remanded to a prison, and that would defeat the whole object of the Bill.

MR. J. G. TALBOT (Oxford University) said, the object of the hon. and learned Gentleman the Member for the Nuneaton Division of Warwickshire (Mr. Dugdale) was humane and laudable, but he could not help thinking that his sentiments had run away with him. The hon. and learned Gentleman seemed to have made a confusion between the two classes of schools. An industrial school was a place to which a child whom it was desired to save from crime was sent; whereas a reformatory school was an establishment to which a child already criminal was sent. It was, therefore, wrong to treat industrial and reformatory schools on the same footing. The Bill provided that when a child had been convicted he was to be sent to some undefined place. The hon. and learned Gentleman the Member for Preston (Mr. Tomlinson) was quite right in saying that they ought to know something about the place to which children were to be sent, not only in the interest of the children themselves, but in the interest of the community at large. As the child came from the place of detention, there was no hardship in sending him back to a place of detention.

MR. RANKIN (Herefordshire, Leominster) said, he should like to hear further from the promoters of the Bill as to what place they had in view in which children should be detained. Did the words "not being a prison" refer to the lock-up at Petty Sessional Courts? He was quite sure that if the offenders were not remanded, the only place they could be safely sent to was the lock-up, and he should, therefore, strongly support the Amendment of his hon. and learned Friend the Member for Preston.

MR. WHARTON (York, W.R., Ripon) said, he wished to point out that

the clause was only permissive; it was not compulsory on the magistrates. If the offence was sufficient to warrant it, the magistrate would order the culprit to be sent to prison, and thence to a reformatory. Their object was to prevent the child becoming what was known as a "gaol bird," and to allow him to be detained at the house of the Superintendent or Inspector, or as the magistrate might decide, until the reformatory school was ready to recive him. That, again, was simply a permissive and not a compulsory power, which they wished to confer on the magistrates.

MR. PICTON (Leicester) said, there was a tendency among hon. Gentlemen supporting the Amendment to exaggerate the difference as between children sent to a reformatory school and those sent to an industrial school. At a reformatory the children had indeed been convicted of crime, but they were really of the same character as those sent to industrial schools. A large number of them were very young children, whom it was almost a crime to send to gaol, and there was in the country a growing feeling against this being done. He hoped the Committee would support the clause, and not accept the Amendment of the hon. and learned Member for Preston (Mr. Tomlinson). It was right, in his opinion, that discretion should be given to the magistrates, and if they found before them a boy of 14 years of age, whom it would be dangerous to send to the workhouse, he thought it was well to allow them to send him to prison. On the other hand, in a case where there was considerable hope of improvement in the future, surely it would be a right thing to allow the magistrates to send the child to the workhouse or some other place, where he could be securely kept until he could be sent to the school.

MR. TOMLINSON said, if, as it was contended, the power was optional, the Bill itself should say what the alternative was to be.

MR. DUGDALE said, it was practically in the discretion of the magistrate, and the words were taken from the Industrial Schools Act, 1866. By that Act, if there were no poor house at a convenient distance, the child was to be detained in such other place, not being a prison, as the magistrate thought fit. These words of the Act he had incorporated in the present Bill. No doubt, some person could be found to whom the magistrate would be willing to entrust the child for safe custody until a reformatory was ready for him. He would be sent sometimes to a place in the neighbourhood, or sometimes to a workhouse, as the case might be. If they thought that the child ought to be sent to prison, they could send him there; but he hoped that in many cases they would be able to send him direct to a reformatory. A case had occurred within his own knowledge of a boy who stabbed a man in the street, and so nearly killed him that he would have died had he not been within a very short distance of a neighbouring hospital. The boy was sent to prison for 14 days and then to a reformatory; but, from the circumstances, he (Mr. Dugdale) would have been glad if he could have sent him to a reformatory at once, but was unable to do so owing to the state of the law. That case, in his opinion, showed the necessity for a clause of this kind.

MR. WHARTON said, the hon. and learned Member for Preston did not take note of the fact that a remand was ordered during the progress of a case. But they were dealing here with a case that had been concluded.

MR. TOMLINSON said, he wanted to know what was the alternative, seeing that the clause was optional? He understood his hon. and learned Friend to say a short time ago that it was a remand, but now he said it was not so.

MR. DUGDALE said, the clause gave power to detain the offender until he was sent to a reformatory.

MR. TOMLINSON said, the hon. and learned Gentleman had not shown the alternative to sending him to prison while he was waiting to go to a reformatory.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, he did not see the difficulty suggested by his hon. and learned Friend the Member for Preston, because the magistrate, under the Act, would have power if necessary, and if nobody could be found to take charge of the child, to give him a short term of imprisonment in order to keep him in custody. As he understood the clause it gave the magistrate permission to omit the sentence of imprisonment, but

it did not prevent him from inflicting it; if he was able to find a person to take charge of the offender it would not be necessary to put him in prison; but if it be necessary he would be able to do so.

THE SECRETARY OF STATE FOR THE HOME DEPARMENT (Mr. MATTHEWS) (Birmingham, E.) said, in order to meet the doubts of his hon. and learned Friend the Member for Preston (Mr. Tomlinson), he would point out that the Bill did not repeal the existing Reformatory Schools Act, under which the magistrate was called upon to sentence the boy, at any rate, to 10 days' imprisonment or longer, before he ordered him to be sent to a reformatory. In a really criminal case the magistrate would act upon that power, and sentence the boy to imprisonment during the time that a reformatory school was being found. The most obvious place to send him to was the prison, and that remained in the clause. If, however, the boy was one who, as the magistrate thought, ought not to become a gaol-bird, because it would prejudice his chance of improvement and progress in life, the alternative was given to him of sending him to some place other than a prison, while a reformatory was being found which could receive him — not necessarily the workhouse—where he would be taken care of. He thought his hon. and learned Friend the Member for Preston was right in saying that if the boy was under sentence there was no power of remand—to have a remand after sentence was rather a startling proceeding. He might be allowed to say that he was placed in considerable difficulty in respect of this Bill, all the provisions of which he had already included in a much larger measure that he had hoped ere this to have laid before the House. The hon. and learned Gentleman in charge of the Bill would, therefore, excuse him for saying that some of the points of the Bill were unnecessary.

MR. J. G. TALBOT asked, where was the child to go, supposing that a magistrate sentenced him to a reformatory school, and could not find a charitable institution or workhouse to take charge of him while the school was being found?

MR. J. H. A. MACDONALD said, the magistrate, before he sentenced a child to a reformatory, might be expected to ascertain whether he could carry out the sentence. By the law in Scotland, which in this matter he supposed to be the same as in England, the magistrate had power to sentence the offender to a few days' imprisonment in order to ascertain some necessary facts. The position of an unconvicted person in prison waiting for trial was quite different from that of a convicted person. The character of the former was not affected in the same way as it would be if he were convicted and then sent to prison.

Amendment, by leave, *withdrawn*.

MR. J. G. TALBOT said, the Amendment he was about to propose was intended to modify the proposal of his hon. and learned Friend, who believed he could find a refuge for these young criminals in the workhouse. From the point of view of the Boards of Guardians the Committee would understand that this was not a satisfactory proceeding. He, therefore, asked the Committee to agree to this Amendment, which saved the rights of those who managed workhouses, by providing that no master of a workhouse should be authorized by the section to admit an offender to the workhouse except with the sanction of the Board of Guardians. He had proposed that this should be confirmed by the Local Government Board; but apparently those who represented the Department did not wish to have that duty cast upon them, and, therefore, he would move the Amendment as it stood on the Paper, which he trusted the Committee would accept.

Amendment proposed,

In page 2, line 6, at the end, add—"Provided that no master of a workhouse shall be authorized by this section to admit such offender to the workhouse except with the sanction of the Board of Guardians."—(*Mr. J. G. Talbot.*)

Question proposed, "That those words be there added."

MR. DUGDALE said, this was a reasonable proposal, and he was willing to accept it.

SIR ROBERT FOWLER (London) said, that where a Board of Guardians met once a fortnight, it would be very inconvenient for the magistrate to have to wait for 10 days or more before the offender could be sent to the workhouse.

MR. J. G. TALBOT said, it was not meant that the Board of Guardians should pass a resolution in each particu-

lar case; it was intended that general consent should be given.

Question put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 4 (Removal of offender to certified reformatory school).

SIR JOHN DORINGTON (Gloucester, Tewkesbury) said, there did not appear to be anything in the clause to show who was to take charge of the offender for the purpose of delivering him to the superintendent of the reformatory, and, therefore, he thought that some Amendment was required. It was true that the clause followed the wording of the old Reformatory Schools Act, in which the gaoler delivered the person into the custody of the superintendent; but the gaoler was, at the time the Act was passed, an officer of Quarter Sessions, whereas he was now an officer of the Crown. The offender, however, was not to be placed in his custody, but in charge of someone else—the master of a workhouse or a private individual. Now it was certain that the Reformatory Schools had no staff to send about the country after the boys committed to them, nor had the workhouses any staff to conduct the boys from thence to the reformatory. He would therefore move the insertion of words to meet this point.

Amendment proposed, in page 2, line 9, after the word "the," insert the words "of the police, who shall deliver the offender into the custody of the."—(*Sir John Dorington.*)

Question proposed, "That those words be there inserted."

MR. DUGDALE (Warwickshire, Nuneaton) said, the clause had been drawn on Section 15 of the Reformatory Schools Act of 1866, and he could hardly appreciate the difficulty of his hon. Friend with regard to there being no officer of the reformatory to take the child from the person to whom the magistrate delivered him. The Act of 1866 provided that the gaoler, having in his custody any offender, "should at the appointed time deliver him into the custody of the superintendent of the reformatory school;" and he had followed it up by saying that the person to whom the offender was sent—

"Shall at the appointed time deliver such offender into the custody of the superintendent or other person in charge of the school in which he is to be detained."

His hon. Friend wished to put the policeman in the place of the superintendent or officer of the school; but he did not see that there was any great difficulty in the superintendent or officer of the school taking charge of the boy at the place to which he had been sent. There was no harm, so far as he knew, in the police taking charge of the boy, but certainly it seemed to be unnecessary.

MR. J. G. TALBOT (Oxford University) said, his hon. and learned Friend did not appear to see the force of the Amendment. Supposing that a child was sent under the Bill to the workhouse before going to the reformatory school; as the clause stood, it would be for the officer of the workhouse to take the child from the workhouse, and deliver him at the reformatory school, which might be a long distance away. The object of his hon. Friend who moved the Amendment was that the child on his way to the school should be in the hands of an officer of justice, and not of some casual person in whose care he might temporarily have been. The Amendment appeared to him very reasonable, and he hoped the Committee would accept it.

MR. DUGDALE said, he perceived there might be a difficulty in the case where the offender was sent from the workhouse to a reformatory school, perhaps in another county, and was, therefore, willing to agree to the Amendment.

Question put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 5. (Expense of conveyance and maintenance).

MR. TOMLINSON (Preston) asked if it would not be necessary to bring in a Money Bill to carry out the provision of the clause, that the expense of conveying the offender should be defrayed by the prison authority within the district of conviction?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, he thought the clause was right as it stood; at any rate, in Scotland all the expense of conveying a prisoner to the place where he was to be finally confined was borne by the

prison authority of the district in which the conviction took place.

Clause *agreed to.*

Clause 6 (Escaping from places of detention) *agreed to.*

Clause 7 (Penalty on persons inducing offenders to escape).

MR. J. G. TALBOT said, that two months seemed hardly an adequate term of imprisonment to correspond to a money penalty of £20, and as the maximum term of imprisonment was rarely imposed, it would end in the practice of only a month's imprisonment being usually inflicted for offences so serious as inducing young offenders to abscond, or harbouriug them when they had absconded.

Amendment proposed, in page 3, line 11, leave out the word "two," and insert the word "six."—(*Mr. J. G Talbot.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. DUGDALE (Warwickshire, Nuneaton) said, he thought the hon. Gentleman could hardly be aware that two months' imprisonment was the maximum term that could be imposed under the Industrial Schools and Reformatory Schools Acts.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, he had an Amendment to move to substitute the word "Court" for the word "Justices."

THE CHAIRMAN said, in that case the Amendment before the Committee would have to be withdrawn.

Amendment by leave *withdrawn.*

On the Motion of Mr. J. H. A. MACDONALD, the following Amendment made:—In line 11, leave out the word "Justices," and insert the word "Court."

Amendment proposed, in page 3, line 11, to leave out the word "two," and insert the word "six."—(*Mr. J. G. Talbot.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. TOMLINSON (Preston) said, that they were entitled to some more solid reason against this Amendment than had been given by his hon. and learned Friend (Mr. Dugdale), when he referred to the penalty in the existing Acts. There might be many cases in which it would be worth while to get the boy out of the way; and as he took it that the Bill was intended to be largely acted upon, he thought the Committee ought to support the Amendment of the hon. Member for Oxford University (Mr. J. G. Talbot), which he should do if it went to a Division.

An hon. MEMBER said, he should like to point out that under the Summary Jurisdiction Act a fine not exceeding £20, or not exceeding two months' imprisonment, was imposed on the person who concealed or assisted an offender to escape. If, therefore, the Amendment were agreed to, they would have in force two Acts of Parliament at variance with each other.

MR. DUGDALE said, it would be very inconvenient to insert in the Bill a term of imprisonment different from that which was provided under the Act of 1866, and he, therefore, felt bound to oppose the Amendment.

MR. RANKIN (Herefordshire, Leominster) said, that this was a most merciful Provision, and in the interest of the children themselves, and in order that the system might have a fair chance of working, the penalty on anyone who frustrated the object of the measure ought to be a very severe one. He should, therefore, support the Amendment.

Question put.

The Committee *divided:*—Ayes 260; Noes 61: Majority 199.—(Div. List, No. 148.)

Preamble read, and *agreed to.*

Bill *reported;* as amended, to be considered upon *Wednesday* next, and to be *printed.* [Bill 295.]

OATHS BILL.—[BILL 7.]

(*Mr. Bradlaugh, Sir John Simon, Mr. Kelly, Mr. Courtney Kenny, Mr. Burt, Mr. Coleridge, Mr. Illingworth, Mr. Richard Colonel Eyre, Mr. Jesse Collings.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Affirmation may be made instead of oath).

MR. NORRIS (Tower Hamlets, Limehouse) said, in rising to move the Amendment in his name, he would not disguise from the Committee his intention to meet this Bill on all its stages with uncompromising opposition and hostility. He believed that if, unfortunately, the Bill should be carried through Committee, and through the House, there would be throughout the country a feeling of intense indignation and sorrow. On the present occasion he should endeavour to excise from what he had to say anything of a personal nature. He was obliged to remark that it was the function of the House of Commons to represent the interests of the nation at large, and not the interests of one individual, and it was surprising to him that so many days and hours should have been wasted on a matter, which, except in a religious sense, was one of inferior importance. He contended that, under Standing Order 63, the portals of the House of Commons were open to men of every persuasion.

THE CHAIRMAN said, he would point out to the hon. Gentleman that he must speak to the Amendment he proposed to move.

MR. NORRIS said, he was under the impression that he was speaking to his Amendment, which was to the effect that the Bill should not apply to those who stated that they had no religious belief, and he was about to adduce argument on which that Amendment was based. He had said that they had opened their portals very widely already, and would add that, for his part and on behalf of those who thought with him, he was not disposed to admit Gentlemen who were not prepared to take the Oath, or to make affirmation in the form in which it was now prescribed. He warned the House that irreligion was spreading, and, as was shown by a Paper by a Rev. Bishop, large meetings were held in Victoria Park on Sundays, at which the most sacred subjects were discussed with profanity and ribaldry. As he had said, they welcomed in their midst men of every religious persuasion; but they were asked in this Bill to allow men who had no religious belief whatever to make a solemn affirmation.

MR. BRADLAUGH (Northampton) rose to Order. The word "solemn" was the subject of a later Amendment.

THE CHAIRMAN said, he must impress on the hon. Gentleman the necessity of giving some point to his argument.

MR. NORRIS said, that no man had greater deference for the Chair than himself, and he, of course, bowed to that intimation. He held in his hand an extract from a speech of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), who, in 1880, said that no new law was necessary to enable a Member to go to the Table and be sworn. They had, under the Rules of Procedure, the opportunity of taking the Oath and the opportunity of making affirmation; what more, then, was necessary? He and his hon. Friends were not prepared to ignore the religious feelings inherent in the people of this country, by whom, from the Sovereign to the peasant, the name of God was revered. For his own part, he would, in the matter of this Bill, accept no compromise, considering it, as he did, fraught with evil consequences and contrary to the first principle of religion. Therefore, in defence of political, moral, and religious principles, he begged to move the Amendment standing in his name.

Amendment proposed,

In page 1, line 5, after the word "person," to insert the words "excepting those who state they have no religious convictions."—(*Mr. Norris.*)

Question proposed, "That those words be there inserted."

MR. BRADLAUGH said, it was perfectly impossible that the House could accept this Amendment, which went in the teeth of the principle of the Bill as affirmed by a majority of 100 in a full House. He did not condescend to discuss what the hon. Member called the reasons for his Amendment.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Anderson.*)

MR. BRADLAUGH said, it was of course impossible to make effective progress with the Bill that day, and therefore, as the Amendment was of importance, he did not oppose the Motion of the hon. and learned Gentleman.

Question put, and *agreed to.*

Committee report Progress; to sit again upon *Wednesday* next.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.—[Bill 2.]

(*Mr. Heneage, Mr. Broadhurst, Mr. Burt, Mr. Charles Cameron, Mr. Jesse Collings, Mr. Herbert Gardner, Mr. Robert Reid, Mr. T. W. Russell.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Heneage.*)

Mr. M'LAREN (Cheshire, Crewe) said, he desired to ask Mr. Speaker, whether it would be competent to him to move in Committee an Amendment authorizing marriage with a deceased husband's brother? If not, he would move an Instruction to the Committee.

Mr. SPEAKER: The object which the hon. Gentleman has in view can only be attained by an Instruction to the Committee.

Mr. M'LAREN said, the principle involved in the Instruction was very important, and it was one which the House could not possibly consider in the four minutes which remained for discussion; therefore, in order that the question might come forward at a more convenient period, he begged to move the adjournment of the debate.

Mr. SPEAKER said, he would point out to the hon. Gentleman that the Motion had not yet been moved.

Mr. M'LAREN said, he would, in that case, merely move the Instruction of which he had given Notice; and, as he did not wish to delay or talk out the Bill, he would not say anything further.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to extend the scope of the Bill so as to include marriages between a woman and her deceased husband's brother."—(*Mr. Walter M'Laren.*)

Mr. HENEAGE (Great Grimsby) said, as the hon. Member had not used any arguments in support of his Motion, he did not think it necessary to offer any in opposition to it, and would, therefore, claim to move, "That the Question be now put."

Mr. SPEAKER: As no arguments have been adduced on either side, I cannot consent to put the Motion of the right hon. Gentleman.

Mr. J. G. TALBOT (Oxford, University) said, he might perhaps be allowed to say a few words upon this Instruction, which he thought the hon. Member had not moved in language adequate to the subject. For his part, he could take no share in it. But he wished to point out that while the right hon. Gentleman the Member for Great Grimsby (Mr. Heneage) would, by his Bill, pull out one stone of the great and sacred fabric of the Marriage Laws of the country, other hon. Gentlemen were desirous of pulling out many others.

It being half-past Five of the clock, the Debate stood adjourned.

Debate to be resumed upon *Wednesday* next.

PARTNERSHIP BILL.—[Bill 206.]

(*Colonel Hill, Sir Bernhard Samuelson, Sir George Elliot, Sir Charles Palmer, Mr. Whitley, Sir Albert K. Rollit, Mr. Seale-Hayne.*)

COMMITTEE.

Bill *considered* in Committe.

(In the Committee.)

Clause 1 (Short title) *agreed to.*

Clause 2 (Commencement of Act).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

Committee report Progress; to sit again upon *Wednesday* next.

RIGHTS OF WAY (SCOTLAND) BILL.

On Motion of Mr. Bryce, Bill to amend the Law relating to Rights of Way in Scotland, *ordered* to be brought in by Mr. Bryce, Mr. Arthur Elliot, Mr. Buchanan, Mr. D. Crawford, Mr. Baird, Mr. Asquith, and Mr. Esslemont.

Bill *presented*, and read the first time. [Bill 296.]

House adjourned at twenty minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 14th June, 1888.

MINUTES.]—Public Bills—*First Reading*—Companies * (153).

Second Reading—Augmentation of Benefices Act Amendment (78).

Report—Land Law (Ireland) Act, 1887, Amendment (131).

PROVISIONAL ORDER BILLS—*First Reading*—Gas (No. 2)* (148); Local Government (Highways)* (149); Local Government (No. 7)* (150); Local Government (Port)* (151).

Second Reading—Public Health (Scotland) (Denny and Dunipace Water)* (136).

Committee—Report—Local Government (Poor Law) (No. 4)* (120); Local Government (Poor Law) (No. 5)* (121); Metropolitan Commons (Chislehurst and St. Paul's Cray)* (122).

Third Reading—Local Government* (113); Local Government (No. 2)* (114); Local Government (Poor Law)* (115); Local Government (Poor Law) (No. 2)* (116); Local Government (Poor Law) (No. 3)* (117), and *passed*.

AUGMENTATION OF BENEFICES ACT AMENDMENT BILL.—(No. 78.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR (Lord HALSBURY), in moving that the Bill be now read a second time, explained that there were certain funds at his disposal, derived from the sale of certain livings, for the augmentation of benefices. The sum, unfortunately, did not now exceed £5,000. At present the amount which he could allocate out of this money in augmentation of a clergyman's income depended in each case upon the number of the population of the parish. The object of the Bill before the House was to abolish this condition and to enable him to augment livings which were below £200 a-year without paying regard to population. A clergyman, he held, ought not to be asked to undertake the work of any parish for a smaller income than £200. The Bill would enable him to augment benefices up to that amount.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

Motion *agreed to*; Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow*.

OPEN SPACES (METROPOLIS)—THE LAW COURTS SITE; WESTMINSTER ABBEY (PARLIAMENT SQUARE); THE BRITISH MUSEUM.

QUESTIONS. OBSERVATIONS.

THE EARL OF MEATH said, he rose to ask Her Majesty's Government the first of three Questions with reference to open spaces, and it was, Whether it was their intention within a reasonable period to build over the entire open space at present adjoining the Law Courts, and bounded on the Western and South-Western sides by King's College Hospital and Clement's Inn; and, if not, whether they would have any objection to lay out and maintain as a public garden such portion of the space as they do not intend to cover with buildings? Although this space was not a large one, it was one well worth preserving or allowing the public to use until it was built upon. It was the only spot from which the Law Courts could be well seen to advantage. The district was densely populated, and it was very badly off for open spaces. The experience of the Metropolitan Public Gardens Association was that the working classes could be trusted to maintain order among themselves and to preserve property of which they had the enjoyment. He understood the Government desired to build Bankruptcy offices in close proximity to the Law Courts; but that was no reason why this site should be left in its present dilapidated condition; nor would that be a necessary consequence of making a road through it if it were necessary to do it. It was two years since it was said that Bankruptcy buildings were going to be built, and yet nothing had been done; and if the land was not going to be appropriated at once the public might have the enjoyment until it was required.

THE EARL OF WEMYSS said, there was an apparent inconsistency between this Question and the third on the Paper, in which the noble Earl suggested the planting of trees on the space near the British Museum, which trees would interfere with the public view of the building. It appeared that wherever the noble Lord saw an open space he desired to plant trees.

EARL GRANVILLE said, that one or two trees would not destroy the view of either building.

EARL FORTESCUE said, he would support the appeal of the noble Earl for permission to use the Law Courts space as a recreation ground, a privilege which, to judge from experience, would be greatly appreciated; the neighbourhood being densely populated, Lincoln's Inn Fields being unfortunately still

closed, and only a narrow strip of embankment garden at all within reach.

LORD HENNIKER said, the Bankruptcy offices were to be built chiefly upon a part of the site of Clement's Inn acquired by the Government last year. Part of this open space might also be wanted for these offices and part or all of it might also be required—and it was impossible to say how soon—for the extension of the Royal Courts of Justice, which he was told by the First Commissioner was desired by the noble and learned Lord on the Woolsack. At the present time there were many demands upon the Office of Works for new buildings, as, for instance, the War Office and Admiralty buildings, and others, and it might be some years before the Treasury would grant all the money required for the improvements of the Royal Courts of Justice. If in the meantime any expense were to be incurred in making the land available for recreation, such expense ought to be borne by the Metropolis rather than by the funds provided by Parliament, inasmuch as the benefit was of a local kind, and not one which should be paid for by the Imperial Exchequer. If the Metropolitan Board, the local Vestry, or the Metropolitan Gardens Association, over which the noble Earl presided, desired to adapt the land temporarily as a recreation ground, the Office of Works were perfectly willing to consider any scheme that might be submitted to them, subject to the imperative condition that the liberty of the Government to deal with the land for their own purposes at any time should not be in any way prejudiced.

THE LORD CHANCELLOR (Lord HALSBURY) said, it seemed to him an extraordinary proposition that land purchased at great cost for Courts of Justice should be devoted to other purposes. Of course, he had nothing to say to any temporary use of it that might not interfere with its ultimate destination; but the administration of justice to clamouring suitors was hampered by the want of Courts to sit in, and in these circumstances it was impossible for the Government to commit itself to devote a piece of land bought expressly for Courts of Justice at a high price to any other purpose whatever. As to the inconvenience of the Courts of Justice, it was only just to remember that they were planned for one system of administration and were used for another, and if any inconvenience resulted it was not the fault of the architect or of those who adopted the plans; but, speaking from personal experience, he did not find there was much inconvenience, and he certainly thought that the new Courts were an improvement upon the old ones.

EARL NELSON said, he thought the site in question was originally purchased for the rebuilding of one of the churches in the Strand—St. Clement Danes—when it was taken down for the widening of the Strand.

LORD HERSCHELL said, he hoped that no Government would ever contemplate building upon the whole or the greater portion of the site in question; it would spoil the view of the existing buildings if they did. The public would benefit much more from leaving the land as an open space than from occupying any portion of it with buildings. There was always a temptation if you had a vacant piece of land to build upon it. He should like to see so much of this land as was really necessary to preserve the view of the present buildings from obstruction definitely devoted to a purpose that would render it in the highest degree unlikely that it would ever be built upon.

THE EARL OF MEATH begged, on behalf of his Association, to thank the noble Lord (Lord Henniker) for the offer he had made on behalf of the Government. He wished, further, to ask Her Majesty's Government, whether they would permit the public to enter during the hours of daylight the small enclosure facing the Abbey and the Houses of Parliament, in which the statue of Canning was situated? He did not think that there was any necessity for further open spaces in the neighbourhood of the Houses of Parliament. There were several in the district around; but there was no spot where a foreigner or any individual who visited the Metropolis could sit down in peace and quiet and contemplate and study carefully the architectural beauties which surrounded Parliament Square. He thought that a few seats should be provided. The Association with which he was connected had placed seats in the open space in front of the Abbey, but no view of the Houses of Parliament could be had from them. All he asked was

that the spot to which his Question referred should be thrown, as it were, into the roadway, just as they saw such places in Continental towns, and that the grass and shrubs should be left and seats placed there.

LORD HENNIKER said, that the Question of the noble Earl pointed to the Square being thrown open to foreigners and strangers. The First Commissioner of Works had considered the question carefully, and he was of opinion that it was impossible to reserve an open space such as was proposed for any particular class of persons, and he did not consider that this spot of ground was a suitable one to which the general public should be admitted.

EARL GRANVILLE said, he did not understand that the Question had been put in the form in which the noble Lord seemed to think it had—namely, as to whether this open space should be reserved entirely for foreigners and strangers, which was obviously impossible. The object was to have the spot thrown open for the benefit of all.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY) said, that reference was made by the noble Earl (the Earl of Meath) to contemplative persons. He was afraid that the small boys of London would infest and take possession of the Square if they threw it open, and their occupations would not favour that æsthetic contemplation which the noble Earl desired to see.

EARL FORTESCUE said, he hoped the noble Lord would reconsider his decision. He thought that there were places in the Square where seats could be placed under the trees. If the existing railings were moved a few feet back, behind the seats, the houses would be effectually protected from annoyance.

LORD HENNIKER said, that he thought there would be no difficulty in placing seats in Parliament Square if desired. There were many reasons which he had not thought it right to trouble their lordships with, such as the question of which the noble Marquess—the Prime Minister—had spoken of, injury to property, and so on, which would result upon the throwing open of this spot.

THE MARQUESS OF RIPON asked, whether the noble Lord would undertake that seats should be placed in Parliament Square where it was possible to do so?

LORD HENNIKER said, he would undertake to submit the matter to the First Commissioner of Works.

LORD STRATHEDEN AND CAMPBELL said, he was of opinion that the Government had come to a sound decision not to throw this space open to the public. Such a change would be injurious and unjust to vendors and purchasers of property.

THE EARL OF MEATH asked Her Majesty's Government whether they would at the proper season plant some trees in the open space in front of the British Museum? He thought that if trees were more generally planted, as they were in America, where in some places everyone planted a tree on a particular day, it would be an excellent thing. Their Lordships were well aware that trees added not only to the beauty of the Metropolis, but also to the health of London.

THE EARL OF WEMYSS said, he certainly had no wish to stop the planting of trees in the Metropolis; but he thought that they could have too much of a good thing. Care should be taken not to plant the trees too close together, and allowance ought to be made for their rapid growth, as it was very undesirable that views of the Parks should be shut out by them.

LORD HENNIKER said, that he could not then give an answer to the Question put by his noble Friend, because the matter was at present under the consideration of the Trustees of the British Museum, who had not yet conveyed their views to the First Commissioner of Works.

COMPANIES ACTS.

BILL PRESENTED. FIRST READING.

THE LORD CHANCELLOR (Lord HALSBURY), in rising to call attention to the Companies Acts, and to present a Bill to the House, said: Your Lordships may remember that in the Gracious Speech from the Throne at the opening of the Session, it was intimated that a measure would be introduced dealing with the question of Limited Liability Companies. I am afraid, however, that the prospects of Business in "another place" render it impossible for us to deal with the whole

subject in the way which would be most satisfactory. By the most satisfactory way, I mean by introducing something in the nature of a Consolidation and Amendment Bill at the same time. At the same time, it is a subject which would be properly dealt with in that manner; but, as I have said, it is impossible from the state of Business in "another place" to assume that any Bill of that character would have any chance of passing in the present Session. The Government have, therefore, been compelled to take what they believe to be the most prominent points which require immediate amendment, and to place them in a comparatively short and small measure, and to invite your Lordships to agree to it. Of course no one would suggest that there should be anything in the nature of restriction on the various industrial associations, called by whatever name they may be, upon which so much of the commerce and industry of this country is dependent. Your Lordships will probably remember that in 1856, Mr. Lowe, then a Member of the other House and now a distinguished Member of this House, introduced a Joint Stock Companies Bill; and one particular branch of it he treated in a somewhat light-hearted way. I think the then existing law was passed in pursuance of the recommendations of a Select Committee; and Mr. Lowe—I will not say as his manner was, but as certainly sometimes occurred in his speeches—indulged in a certain amount of sarcasm on those who had previously dealt with the subject, suggesting that the Select Committee, which had set for a very long time, seemed to be rather composing a sensational novel than legislating; because in their Reports they referred to the systematic plunder which had been carried on and the fate of the unhappy victims, and he asked what became of the knaves. No doubt a great many of the subjects which the Committee dealt with pointed very much to the existence of that class of persons. I am afraid it is not possible now to deal with the existence of the class of persons who get up Companies to defraud numbers of unwary people; and, undoubtedly the existence of such a class and their success operate injuriously in more ways than one. A great amount of capital has undoubtedly been employed since the passing of the Limited Liability Act with advantage to the State; but it is also true that to the State a great amount of capital has been lost and has passed into the pockets of fraudulent persons; and it has sometimes been the experience of those who sit in the Courts of Law that the fraudulent promoter of one period of the year is the wrecker of the next period of the year; and that he may turn up in a third character as the promoter of a company which is to rise, Phœnix-like, from the ashes of the Company which he first founded and then destroyed and took from its assets all that it possessed of any value. Under these circumstances, it has been strongly urged from various parts of the country that some measures should be taken, if possible, to prevent the fraudulent initiation of Companies—not, indeed, to protect people from rash adventure. I entirely agree with the argument of Mr. Lowe on the occasion to which I have referred, that you cannot protect people from the consequences of rash speculation. They must look out for themselves. But you can try to prevent the machinery which the State has invented from being made use of for improper and fraudulent purposes; and it is in that direction that the legislation to which I invite your Lordships' attention is intended to operate. The principal machinery which is intended to work in that direction is by introducing a system of provisional registration, which will impose on those who initiate Companies the necessity of taking on themselves the responsibility which they now too often thrust on other persons, and will secure that there shall be some kind of guarantee that the Companies themselves have some kind of foundation—solid foundation—as evidenced by the best test that can be applied—namely, that there shall be a certain amount of capital actually in hand, and that those persons shall be made responsible who are putting forward the Company—who are the promoters, in fact—a word which is very easy to use and understand, but not always so easy to define when you come to a Court of Law for the purpose of attaching responsibility. The provisional registration having been obtained, it will be an essential condition of the Company's obtaining incorporation that certain conditions shall be complied with; one of them being, as I have said, the necessity

of proving that they have that proportion of their capital paid up, that there are such and such a number of *bonâ fide* shareholders, and that the persons who are taking upon themselves the creation of this new legal venture under the Joint Stock Acts shall themselves be persons who have a substantial interest in the concern. In 1867 the defective state of the law, with reference to the class of persons to whom I have referred and the familiar machinery of fraud which was being constantly employed, induced the Legislature to pass an Act amending the former Acts and to pass what we know as the 38th section of that Act. It is as well that I should call your Lordships' attention to the provisions of that section. It provides:—

"Every prospectus of a Company, and every notice inviting persons to subscribe for shares in any Joint Stock Company, shall specify the dates and the names of the parties to any contract entered into by the Company, or the promoters, directors, or trustees thereof, before the issue of such prospectus or notice, whether subject to adoption by the directors, or the Company, or otherwise; and any prospectus or notice not specifying the same shall be deemed fraudulent on the part of the promoters, directors, and officers of the Company knowingly issuing the same as regards any person taking shares in the Company on the faith of such prospectus, unless he shall have had notice of such contract."

Now, I cannot congratulate the draftsman on the mere language of the section; but, apart from the drafting, the difficulties that exist under that section are such that it is impossible not to know that almost every Court has expressed a different opinion on the effect of the section. First, as respects contracts entered into by the Company itself, every contract for everything, for a sheet of paper, a pen, or a bottle of ink, of course, is included in those general words; and when you come beyond that to the portion of the section which follows, and which requires the disclosure of the particulars of any contract entered into by the promoters or trustees before the issue of the prospectus or notice, the words are so general as to comprehend every contract entered into by them. I have no doubt that the draftsman had in his mind that some limitation ought to be placed on them, as, for instance, that the contracts were to have relation to the business of the Company. There was the absolute difficulty of putting any such limitation upon it, and finding, I suppose, that difficulty, he got rid of it by omitting any limitation at all, and has left it to the Courts of Law to find out what limitation they could impose. The Courts of Law vainly endeavoured to do so. I only point to this as establishing this proposition that some provision of this kind, some check of this sort upon what the promoters do, is necessary. This, of course, raises the difficulty as to what a promoter is. The difficulties of the Courts in their construction of the term have been such that I think it is very obvious that some alteration of the law is required. It is, of course, easy to criticize and to point out that there is a defect; it is not always so easy to supply a remedy. I do not mean to say that the provisions, to which I shall invite your Lordships assent, will conclusively get rid of the difficulty, because it is inherent in the nature of the thing. The iron framework of a definition is not capable of the elasticity of the Common Law, and the moment you have caught the promoter by some kind of language, the moment you have something like a definition of a specific description of the persons of the class referred to, they immediately set themselves to get outside the exact wording of the clause and perform the same operation which has been prohibited in a different way. There is one other class of provisions to which I invite your Lordships' attention. One of the great complaints made has been the mode in which the assets of the Company are represented in its accounts. Your Lordships know that Banking Companies, under a specific provision, are compelled to submit the accounts to an auditor and to publish them. That provision does not apply to joint stock banks generally, and it has been brought to my attention that in a great many instances, particularly in the North of England, companies have been started with alleged capital in which worn-out machinery is represented as being of prime value and at cost price. That was said to be one of the great sources of the frauds committed by persons who get up companies, buying old worn-out machinery, suggesting that it is new and valuable, capable of turning out a large amount of produce. When, however, the con-

cern comes to be worked by a great number of poor and ignorant persons, who place their savings in undertakings of this kind, it is found out in a very short time that the whole affair is insolvent, and has been founded on the wreck and ruin of what was a former company. One expedient to check such proceedings which was suggested was this. It is that it should be compulsory on the companies to furnish something like a balance-sheet and account of their assets, and from time to time a revaluation of their assets, so as to give information to those who are anxiously inquiring into the concern. A great difficulty, of course, exists in providing a balance-sheet which shall be applicable to every form of industry. Some balance-sheets would exhibit the particulars required in a form which would be perfectly intelligible if applied to one particular business, but if made compulsory upon all companies would be obviously unsatisfactory. We have thought it right, therefore, that provision should be made for making a balance-sheet compulsory and satisfactory to some Government Department —the Board of Trade, most naturally. Those were the general lines of the Bill, and I invite your Lordships to read it a first time.

Bill to amend the Companies Act, 1862 — *Presented* (The LORD CHANCELLOR).

LORD HERSCHELL: I am satisfied that an endeavour is about to be made to meet the evils to which the noble and learned Lord has referred. At the same time I think experience shows that it is easier to see what the disease is than to find out a remedy for it. However elaborate your amending provisions may be, it is possible that they may form an obstacle and an impediment to those whose enterprize we do not wish to hinder, while at the same time they will be walked round or walked through by the very persons whom it is our interest to shut out. A measure of this description depends entirely on the details. Whether the scheme is one which will meet with the approval of your Lordships I cannot of course say, but I do not feel that it is possible, after the statement just made, to go further now than to express my wish to give all the assistance I can in meeting the evils brought before the notice of your Lordships.

Bill read 1ª. (No. 153.)

House adjourned at a quarter before Six o'clock, till To-morrow a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 14th June, 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—Copyhold Acts Amendment * [298].
Second Reading—Customs (Wine Duty) [293]; Supreme Court of Judicature (Ireland) Act (1877) Amendment [281].
Referred to Standing Committee on Law, &c.—Employers' Liability for Injuries to Workmen [145].
Committee—Local Government (England and Wales) [182] [*Fifth Night*]—R.P.; Clerks of the Peace [185]—R.P.
Considered as amended—National Debt (Supplemental) [264].
Considered as amended—Third Reading—Electric Lighting Act (1882) Amendment * [233], and *passed*.
Withdrawn—Justices of the Peace * [20].
PROVISIONAL ORDER BILLS — *Ordered* — *First Reading*—Local Government (Ireland) (Coleraine, &c.) * [297].
Third Reading—Gas and Water * [247]; Water (No. 2) * [246], and *passed*.

PRIVATE BUSINESS.

UNITED TELEPHONE COMPANY BILL (*by Order*).

SECOND READING.

Motion made, and Question proposed, "That the Second Reading of the Bill be deferred until Monday next."

COLONEL MAKINS (Essex, S.W.) said, he had been told that if the Bill appeared upon the Paper that day there would be no doubt that it would be taken. He had given Notice of his intention to move the rejection of the Bill. He understood that the hon. Baronet whose name was on the back of the Bill was not able to be in his place, and on the distinct understanding that the Bill would be taken on Monday, or some arrangement made for a day on which it would be brought forward, he would not oppose the Motion for Adjournment.

Question put, and *agreed to*.

QUESTIONS.

—o—

ARMS (IRELAND) ACT—MR. W. COTTER —REFUSAL OF LICENCE.

MR. GILHOOLY (Cork, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. William Cotter, of Breenymore, County Cork, was recommended for a gun licence by a local magistrate; and, why the licence was refused?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Sir, as I have already explained to the hon. Member, the licence was not recommended by a local magistrate resident in the neighbourhood. It was refused by the licensing officer in the exercise of his discretion.

MR. GILHOOLY: Upon what ground was it refused?

MR. A. J. BALFOUR: I cannot go into the ground of refusal. The discretion rested with the licensing officer.

MR. GILHOOLY: Is he not responsible if he makes a mistake?

[No reply.]

ROYAL IRISH CONSTABULARY—DISMISSAL OF CONSTABLE DEANS.

MR. W. REDMOND (Fermanagh, N.) (for Mr. J. E. REDMOND) (Wexford, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can state the reasons for the recent summary dismissal of Constable John S. Deans, who had served seven years and nine months in the Royal Irish Constabulary in County Clare, and for a period of three years had held confidential positions in the offices of District Inspectors Kidd, Wynne, and Teddal, to the satisfaction of these officers; whether, on the 18th of March last, Constable Deans was summoned to the County Inspector's office in the police barrack at Ennis, and questioned as to the fact that he had given evidence for the defence in the prosecution of the hon. Member for East Clare (Mr. Cox) under the Criminal Law and Procedure (Ireland) Act; whether such evidence was of a purely technical character as to the posting of public notices in police huts; whether County Inspector Heard informed him that he had received a letter from Colonel Turner on the subject, and that he was now obliged to report to headquarters the fact of his (Constable Deans) having given such evidence on behalf of the hon. Member for East Clare; and, whether, without any further warning and without any other reasons having been assigned, Constable Deans was within a week afterwards summarily dismissed from the Royal Irish Constabularly?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The County Inspector of Constabulary reports that he did not question the man as to the fact alleged; that he did not inform him that he had a letter from Colonel Turner; nor did he say that he would have to report to headquarters the fact of his having given the evidence referred to. No special reason was assigned on the discharge of this man other than that his services were no longer required.

MR. COX (Clare, E.): If this man makes an affidavit before a magistrate as to the exact nature of the conversation that did take place, will the right hon. Gentleman take any further action in the matter?

MR. A. J. BALFOUR: I do not know that any further action is required.

MR. W. REDMOND: May I ask the right hon. Gentleman how it was that the Constabulary Authorities in Ireland only arrived at the conclusion that this man was unfit for service directly after he gave evidence for the hon. Member for East Clare?

MR. A. J. BALFOUR: I do not quite understand the purport of the hon. Member's Question.

MR. W. REDMOND: My Question is, whether, as a matter of fact, this man was not dismissed because he gave evidence in favour of the hon. Member for East Clare at his trial, and that nothing else has been alleged against him?

MR. A. J. BALFOUR: The hon. Member has been wrongfully informed.

MR. COX: I beg to give Notice that on the Police Estimates I will raise this Question.

POOR LAW REMOVALS—J. WATERS AND T. MORONEY.

MR. P. J. POWER (Waterford, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that John Waters and Thomas Moroney, after a residence of 40 years

in Cardiff, have been deported as paupers from a locality which for that long period was benefited by their labour and expenditure to Waterford, which place they originally were compelled to leave owing to want of employment; whether John Waters and Thomas Moroney have become a permanent charge on a Union to which is attachable the mere accident of birth; and, whether it is competent for Guardians of the poor in Ireland to send to the Unions in which they have been born paupers from England, Scotland, and Wales, who may be in receipt of Poor Law relief in Ireland?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The facts are substantially as stated in the first two paragraphs. The reply to the third paragraph is in the negative.

MR. P. J. POWER asked, as this was a great grievance, if the right hon. Gentleman would be prepared to introduce a measure removing that grievance?

MR. A. J. BALFOUR: I suppose the Bill to which the hon. Gentleman refers would be a Bill which would enable Irish Unions to export to England poor Englishmen who, as it were, had to be supported out of Irish rates. Neither that nor any other Bill of the kind has a chance of passing this Session.

MR. P. J. POWER: May I ask——

MR. SPEAKER: Order, order! The first Question of the hon. Gentleman did not fairly arise out of the Question on the Paper.

INLAND REVENUE—INCOME TAX—FOREIGN AND COLONIAL LOANS.

CAPTAIN SELWYN (Cambridge, Wisbeach) asked Mr. Chancellor of the Exchequer, Whether it is a fact that a Treasury Minute allows foreigners residing abroad to have their coupons of Foreign and Colonial Loans cashed in London free of income tax; whether the Board of Inland Revenue refuse the same privilege to British subjects permanently residing abroad, although the moneys are not derived from any source in Great Britain, but exclusively from foreign sources; and, whether, if such is the case, he will consider the advisability of extending to British subjects residing abroad the same privileges as those enjoyed by foreigners?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) (who replied) said: Yes, Sir; the privilege spoken of by the hon. and gallant Member is allowed to foreigners residing abroad, and, I conceive, quite fairly. We have no right to tax foreigners as such, or to impose a duty on Foreign and Colonial Bonds as such where they are not held in this country. The accident that the coupons are payable here is not, I think, sufficient reason for taxing the foreigner who holds them abroad. But with British subjects the case is different, and I see no reason for extending this privilege to them. It by no means follows that because a British subject resides permanently abroad he ceases to have any concern in or to derive any advantage from the various objects for which taxation is imposed in this country. He profits by our Diplomatic and Consular services; and it is not exclusively those who live in this country who derive advantage from our expenditure on the Army and Navy, which again means taxation. I do not, therefore, think that the British subject resident abroad has a good claim to exemption from the small amount of Imperial taxation which he pays in this form.

CIVIL SERVICE ESTABLISHMENTS COMMISSION—ATTENDANTS, &c. AT THE SOUTH KENSINGTON MUSEUM.

MR. WHITMORE (Chelsea) asked the Secretary to the Treasury, Whether, pending the inquiry of the Royal Commission on the Civil Service Establishments into the case of the attendants and messengers at the South Kensington Museum, the Rules relating to their sick pay, which had been in force for upwards of 20 years before their withdrawal by the Treasury Minute of 1885, might be allowed to apply to those attendants and messengers who entered the Office before that date, and who now, after long and meritorious service, find themselves subject to a much lower rate of sick pay?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): The Treasury does not admit that the attendants and messengers are entitled to the privileges which they claim; and I do not think that, pending the inquiry of the Royal Commission on Civil Service Establish-

ments, it would be advisable to make the concession indicated by the hon. Member.

WAR OFFICE—5TH BATTALION ROYAL SCOTCH FUSILIERS—MAJOR ROE.

MR. TOMLINSON (Preston) (for Mr. DIXON - HARTLAND) (Middlesex, Uxbridge) asked the Secretary of State for War, Whether the officer commanding the 5th Battalion Royal Fusiliers, who is stated to have reported unfavourably upon Major Roe, is the commanding officer under whom he actually did the duty of major during the years 1886-7; and, if not, whether it is upon the adverse Report of an officer only recently appointed to the command that Major Roe is deprived of the step in rank to which he is properly entitled by long service; and, whether, assuming that Major Roe is not able to do duties which he has actually performed for three years, it is a fact that the remaining seven captains are so inefficient that none of them are fit for promotion, although the drill and discipline of the battalion has been reported to be in the highest state of efficiency up to the date of the honourable Charles Edgcumbe's resignation of the command in 1887?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The selection of officers for promotion is made by the Commander-in-Chief, on information which appears to him to be proper for his guidance, after careful consideration. As I have already stated, in the opinion of the officers commanding the battalion, the officers commanding the Regimental District, and the General Officer commanding the District, it would not be for the good of the Service to promote Major Roe. No decision has yet been come to as to how the vacancy shall be filled.

HOUSING OF THE WORKING CLASS—COSTERMONGERS' DWELLINGS—ST. LUKE'S.

MR. J. ROWLANDS (Finsbury, E.) asked the hon. Member for the Knutsford Division of Cheshire, Whether the Metropolitan Board of Works has granted a site in the parish of St. Luke's for costermongers' dwellings; and, if so, what are the terms upon which it has been granted?

MR. TATTON EGERTON (Cheshire, Knutsford): The Board has sold to a committee of costermongers a plot of ground on the south side of Dufferin Street, in the parish of St. Luke,'s for costermongers' dwellings. The ground was sold for 21 years' purchase, at a rent computed at 1*d.* a foot, and on condition that the ground should be used for the erection of costermongers' dwellings.

WAR OFFICE—ARMY ACCOUTREMENTS—THE 3RD BEDFORD REGIMENT.

MR. HENNIKER HEATON (Canterbury) asked the Secretary of State for War, Whether the new valises supplied to the 3rd Bedford Regiment in the autumn of 1885 have been officially reported as unserviceable; whether, by Regulation, these 870 valises should have lasted for 20 trainings, whereas they have only been in wear three trainings; whether, besides being reported unserviceable, the paint has dropped off and ruined the men's coats; and, who is the officer responsible for passing these valises, and the name of the contractor?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The Report of a Board of Officers stating that the valises of the 3rd Bedford Regiment were "not waterproof and therefore unserviceable" was received at the War Office this morning. This is the first Official Report that has been received on this subject. Nothing is said in it about damage to the men's coats. Valises should last the Militia 20 years; but those referred to in this Question were of a new kind, and their issue was of an experimental character. Until some of them have been received and examined I cannot say anything more about them.

MR. HENNIKER HEATON: But who was the contractor?

MR. E. STANHOPE: How in the world can my hon. Friend expect me to tell him this until I have read the Report, which was only received this morning? I must have time to examine the Report.

METROPOLITAN BOARD OF WORKS—THE EXPENDITURE.

MR. KENYON (Denbigh, &c.) asked the Secretary of State for the Home

Department, Whether, in view of the recent evidence given before the Royal Commission on the Metropolitan Board of Works, he can suggest any method of limiting their powers as to expenditure of ratepayers' money during the existence of their present functions?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): No, Sir; I am unable to suggest any method of limiting the existing statutory powers of the Metropolitan Board of Works. I apprehend that the legality of any expenditure of public money by the Board can be called in question before the Auditor on the complaint of a ratepayer.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—EVIDENCE ON CHARGES OF CONSPIRACY.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can assure the House that, in every case where an individual has been convicted under "The Criminal Law and Procedure (Ireland) Act, 1887," of conspiracy to compel or induce some person not to deal with or work for some other person in the ordinary course of trade, business, or occupation, evidence has been taken to prove not only the refusal of the individual to work or deal as above, but to prove that he was implicated in a conspiracy for some one of the said purposes?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): In all the cases described by the right hon. Gentleman evidence has been taken to prove the conspiracy referred to. In one case, that of Sullivan, the evidence so tendered did not appear to the Court of Exchequer to be of a character to prove the offence of criminal conspiracy. This arose from an error, not of substance, but of procedure, in the Court of First Instance; where evidence implicating five men in the charge of criminal conspiracy, though given in Court, was not, as it should have been, entered separately against each of the defendants.

MR. W. E. GLADSTONE: I am afraid that some misapprehension has arisen between us as to the meaning of my Question. Is it not the fact that evidence of conspiracy was not given, but simply of refusal to deal with particular cases? But I shall bring the matter to an issue by asking the right hon. Gentleman, not to-day, but I will put the Question down for to-morrow or Monday, whichever he may think best—Whether, in the case of Thomas Bailey, who was convicted on the 31st of May, at Castlemartyr, of conspiracy, and sentenced by Resident Magistrates——

MR. SPEAKER: Order, order! I am sorry to interrupt the right hon. Gentleman; but there is a Rule of the House against giving Notice in this way.

MR. W. E. GLADSTONE: I beg pardon. I will give Notice for Monday.

MR. CLANCY (Dublin Co., N.): May I ask the Chief Secretary whether, as a matter of fact, the only evidence of conspiracy in any single case has been the evidence of the refusal of the person prosecuted to supply the goods?

MR. A. J. BALFOUR: I think that is not so; but if the hon. Gentleman will put a Question on the Paper, I will be in a position to answer him.

MR. CLANCY: Most decidedly I will.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—CHARGES OF CONSPIRACY.

MR. JOHN MORLEY (Newcastle-upon-Tyne) asked Mr. Solicitor General for Ireland, Whether, in cases of conspiracy under the Criminal Law and Procedure (Ireland) Act, it is compulsory on the Magistrates to state a case if required? Perhaps I may be allowed to mention that the Question has been altered since I sent it in, and words have been left out showing that I put the Question because of certain language held by the right hon. Gentleman opposite (Mr. A. J. Balfour).

MR. SPEAKER: Order, order! The reason why the Question was altered was that it asked one Minister if what another Minister had stated on the previous day was true. Therefore, there was something invidious—or it might be taken to be invidious—in the form of the Question.

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): Yes, Sir; the statement is perfectly correct. The Justices are bound

by statute to state a case on the application of any person dissatisfied with their decision as being erroneous in point of law, unless they are of opinion that the application is merely frivolous; and their judgment as to this latter matter is liable to be controlled by the Queen's Bench Division, which may order them to state a case.

MR. CLANCY (Dublin Co., N.): May I ask the Solicitor General for Ireland, Whether, as a matter of fact, the magistrates did not refuse to state a case in the case of Brosnan, the newsvendor, of Tralee, not on the ground that it was frivolous; and also in the case of the Kerry blacksmith; and may I ask, also, whether the then Solicitor General for Ireland did not, before the Court of Queen's Bench, oppose those applications?

MR. MADDEN: I am not aware of the facts of the particular cases to which the hon. Gentleman alludes; but if he wishes to get more specific information as to either case, I shall be prepared, if he gives Notice, to answer him. The Question was addressed to me as to the law, and I stated the statutory requirements; but if the hon. Member wishes information as to particular facts I will give it to him on Notice being given.

MR. CLANCY: May I ask, whether there is a single case in which magistrates have refused to state a case on the ground that the application was frivolous?

MR. MADDEN: I must request the hon. Gentleman, if he asks me a Question on a matter of fact, to put it on the Paper.

MR. MAC NEILL (Donegal, S.): Arising out of the Questions put by the right hon. Gentleman the Member for Mid Lothian and by the right hon. Gentleman the Member for Newcastle-upon-Tyne, I wish to put a Question to the right hon. Gentleman the Chief Secretary for Ireland, of which I have given him private Notice, Whether it is a fact that out of the 58 Resident Magistrates who have tried cases under the Crimes Act, including cases of conspiracy, 12 only have been called to the Bar, and of these 12 how many have been practising barristers?

MR. A. J. BALFOUR: I wholly fail to see how the Question arises from the Questions put on the Paper, and the Question itself has only been put into my hands five minutes ago. I believe, as a matter of fact, the hon. Gentleman will find most of the information which he requires in the Return already laid before Parliament with regard to Resident Magistrates. If that Return does not give all the information, I will be happy to give it to him if he gives Notice.

MR. MAC NEILL: I will.

INDIA—FRONTIER DEFENCES—RUMOURED LOAN.

MR. SLAGG (Burnley) asked the Under Secretary of State for India, Whether it is true, as stated in *The Times*, that the Government of India contemplate the raising of a special loan to meet the cost of the Frontier defences?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The Government of India do not propose to raise a special loan in order to meet the cost of the Frontier defences. It has been decided not to impose taxation for this purpose, and hence the Financial Statement shows a deficit in the Budget for 1888-9; but the charge can, according to the Estimate, be met from the cash balances.

MR. SLAGG: Then the statement in *The Times* is incorrect?

SIR JOHN GORST: I have not seen the statement in *The Times*.

LAW AND JUSTICE (IRELAND)—"SMYTH *v.* MADDEN AND CURREY."

SIR THOMAS ESMONDE (Dublin Co., S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, What was the certificate given by the Recorder of Dublin to Constable Currey, of the F Division, Dublin Metropolitan Police, on the occasion of the trial of the action "Smyth *v.* Madden and Currey" at the Quarter Sessions held on April 15, 1887, at Kingstown; also the amount of the costs paid by the Crown for the defendant Currey; and, whether the nominal verdict of 10*s.* and the fee to the jury is included therein?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Commissioner of Police informs me that the costs referred to amounted to £13 6*s.* 10*d.*, which included the sum of 10*s.* 6*d.* awarded as damages, and afterwards, by direction of the Recorder, given to the jury. With regard to the certi,

ficate, I am informed that application has already been made for a copy of it, with a view to its use in private litigation, and that it has been refused. On these grounds, and under these circumstances, I do not think I should state the terms of the certificate on official authority here.

MR. CLANCY (Dublin Co., N.): Under what Act of Parliament are those costs paid by the Crown?

MR. A. J. BALFOUR: The hon. Gentleman must put that Question on the Paper.

LAW AND JUSTICE (IRELAND)—KILLARNEY PETTY SESSIONS—CHARGE AGAINST CONSTABLE KEARNEY.

MR. SHEEHAN (Kerry, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether at Killarney Petty Sessions, on the 5th instant, on the hearing of a charge of assault against Constable Kearney, the complainant, Timothy Cronin, and four witnesses, deposed to the constable having struck Cronin, and pushed him off the flag-way, for no apparent reason; whether the presiding Justices, Messrs. Herbert and Orpen, while avowing there was no obstruction of the foot-way by Cronin, still dismissed the case against the constable, without requiring his solicitor to make any defence, on the sole ground that they considered the assault trivial; and, if these allegations are true, would he cause the re-hearing of this case?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Inspector General reports that the complainant and three witnesses did not depose to the constable having struck Cronin; but they did swear to his having pushed him off the foot-path. Cronin, however, admitted that he did not feel the assault. The magistrates considered that there had been no real assault, and dismissed the case. The charge against Cronin was not heard before the magistrates at Petty Sessions, but before the Town Court.

MR. EDWARD HARRINGTON (Kerry, W.) asked whether, when the case was before the Petty Sessions, a previous case had not been before the Town Court, and that, at the instance of the policeman, a summons was served for obstruction of the foot-path; and, whether the magistrates did not admit that the assault had been committed?

MR. A. J. BALFOUR said, the facts were as he had already stated.

MR. SHEEHAN (Kerry, E.): Does the right hon. Gentleman say that the charge against the sergeant was not heard at Petty Sessions?

MR. A. J. BALFOUR said, he had stated the information he had received. If the hon. Gentleman would put a Question on the Paper he would inquire.

MR. SHEEHAN said, he would repeat the Question on Friday.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—PROCEEDINGS AT LANESBOROUGH.

MR. MAC NEILL (Donegal, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to a report in *The Freeman's Journal* of June 6, of the proceedings of a Special Court held at Lanesborough, under the provisions of the Criminal Law and Procedure (Ireland) Act, for the trial of prisoners on a charge of intimidation, in which evidence was given by a sergeant of police that he saw the local band drumming before the gate of a Mr. Russell, which was a sign that he was Boycotted; whether it is true, as stated in the report, that Mr. Hill, one of the Resident Magistrates who composed the Court, threatened the prisoners and everyone listening to him that if there were any more drumming at these places, or at evictions, or at Courts, he would have their drums smashed, and every man present sent to gaol for six months; in making use of this threat from the Bench, was Mr. Hill acting in his judicial capacity as a magistrate, or as an agent of the Executive Government; and, is Mr. Hill one of the Resident Magistrates who have been in attendance on the Chief Secretary in Dublin Castle.

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Resident Magistrate reports that the band referred to had, on the occasion of evictions and trials at Petty Sessions, collected disorderly crowds, which interfered with the administration of the law; and he took the first opportunity which was presented by the occasion in

question of warning them against continuing their course, and the probable consequences which would ensue should they disregard this warning. He gave this warning advice in his judicial capacity, not as a threat.

IRISH LAND COMMISSION—APPLICATIONS FOR FAIR RENTS — CO. ANTRIM.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) (for Mr. M'CARTAN) (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can state how many applications to fix fair rent in the County of Antrim were remaining unheard on the 1st instant; how many of these applications are from the Poor Law Union of Ballycastle; when a sitting was last held to hear applications from this Union; on what date, and in what town, the first sitting of a Sub-Commission will be held for the County of Antrim; and, whether he can give the names of the gentlemen who will constitute the Sub-Commission?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me that 2,057 cases remained unheard on the 1st instant, of which 378 were from the Union of Ballycastle. The date of the last sitting at which cases from the Ballycastle Union were heard was July, 1887. The Commissioners are not in a position to state the date at which the next sitting for cases from the Ballycastle Union will be held; nor can they at present say the names of the gentlemen who will constitute the Sub-Commission. The place of sitting will be Ballycastle. I answered the Question only a few days ago.

POOR LAW (IRELAND)—BALLYMENA BOARD OF GUARDIANS—COLONEL STUDDERT.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) (for Mr. M'CARTAN) (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a Resolution of the Board of Guardians at Ballymena, County Antrim, on the 2nd instant, expressing want of confidence in Colonel Studdert, the Local Government Board auditor, and requesting that another auditor should be sent down there instead; whether Colonel Studdert had publicly certified that the sureties of Relieving Officer Duffin were alive, and whether he had since written to the Board of Guardians on Saturday last to know if these sureties were alive; whether he can state if these sureties are dead or alive; and, if dead, the dates of their deaths, and also the date of the last certificate in which this auditor certified that they were living; whether the Guardians telegraphed to the Local Government Board on Saturday last, calling for a new auditor to be sent down to them; whether a new auditor will be sent there, and if he can give the name of the new auditor; and, whether Colonel Studdert is the same gentleman who audited last year, and for some years past, the accounts of the Belfast Town Council?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Local Government Board would not be prepared to take so serious a step as the supersession of an auditor upon the vague grounds suggested by the Ballymena Guardians; but they have asked the Guardians to state the specific grounds upon which they base their complaint of careless audit, and they are willing to investigate the matter, if the Guardians are prepared to substantiate their charges. With regard to the case of the Relieving Officer Duffin, it appears that the auditor was misled by false information given to him by the late clerk of the Union (who has become a defaulter), and who reported to him, at successive audits, that the man's sureties were living, notwithstanding that they had been dead for some years. The answer to the last paragraph is, Yes.

CRIMINAL LAW—RELEASE OF ALBERT TRAVIS, CONVICTED OF MURDER.

MR. W. REDMOND (Fermanagh, N.) asked the Secretary of State for the Home Department, Whether it is true, as reported in the papers of Tuesday, that Albert Travis, sentenced to death in 1886, has been proved to be innocent of the crime of which he was convicted; whether it is true that he has been unconditionally released; and, if so, whether the Government intend to compensate him for his unmerited imprisonment; and, whether it is true, as reported, that the police at the time of the

trial had information in their possession showing that Travis was not guilty?

MR. TATTON EGERTON (Cheshire, Knutsford) also asked, Whether, as stated in *The Pall Mall Gazette* of Tuesday, it is true an unconditional release of the convict Albert Travis has been made, and on what grounds; whether it is true, as also stated, that at the time of trial the police knew that Travis did not commit the murder; and, whether the release is due to reconsideration of the same papers in the Home Office at the time of the commutation of the capital punishment?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.) It is true that the remainder of the sentence on Albert Travis of penal servitude for life on a charge of murder has been remitted after two years, on the ground that there is too much doubt in the case to justify his further detention in prison. There is no intention to grant him any compensation. It is not a fact that at the time of the trial the police knew that Travis did not commit the murder, or that they had information in their possession showing that he was not guilty. Since the commutation of the sentence of death fresh information has been received, which has led me on two occasions to reconsider the whole of this most intricate and singular case. I arrived at my final decision after consulting more than one eminent Judge, from whom I have received valuable assistance. The difficulties of the case are shown by the fact that the learned Judge who tried the case is still satisfied with the verdict.

MR. W. REDMOND: Has the attention of the right hon. Gentleman been called to a statement made by Major Barker, Chief Constable of Birkenhead, to the effect that it was known to the Police Authorities, after the case had been fully investigated before the Justices, that Travis did not commit the murder, and that it was against the judgment of the Police Authorities that a prosecution was instituted at the Assizes?

MR. MATTHEWS: I have not seen that statement, nor am I aware that it is authentic. As far as I know, the only matter in the knowledge of the police that did not come out at the trial was evidence which the police have since laid before me, contradicting unexpected statements of a woman named Platt.

SIR WILLIAM HARCOURT (Derby): May I ask the right hon. Gentleman whether the Rule is still observed by which, in all cases of capital charges, the prosecution shall be under the direct control of the Public Prosecutor?

MR. MATTHEWS: I am not aware of any case in which that Rule has not been observed; but, off-hand, without searching for documents at the Home Office, I should be sorry to say positively that the Rule has always been observed. The Public Prosecutor is directly responsible for such cases, although, in many instances, he has employed local agents as his representatives.

MR. CONYBEARE (Cornwall, Camborne) asked, whether it was not usual in cases where a man had suffered unmerited imprisonment, to give him compensation?

MR. MATTHEWS: No, Sir; on the contrary, to give compensation is without precedent.

MR. O'HEA (Donegal, W.) asked, if it was not a fact that compensation was given to a man named Habron, whose case stood on exactly parallel lines with the present one?

MR. MATTHEWS: I would like Notice of that Question.

MUNICIPAL BOROUGHS (IRELAND)—BALLINASLOE.

MR. HARRIS (Galway, E) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the inhabitants of Ballinasloe suffer great inconvenience for want of a Town Hall that could be used as a place for the transaction of public business; that there are two halls in the town—namely, the Agricultural Hall and the Farming Society Building, both of which were erected for public uses and in a great degree by public money, but have now passed into the hands of the ground landlords, who have rented them to private individuals; and, whether he is aware that the Town Commissioners have been unable to secure the Agricultural Hall as a Town Hall, though they offered to give the same rent for it as is paid at present; and, if so, would the Local Government Board, by their advice or otherwise, aid the townspeople of Ballinasloe in their legal efforts to get possession of this hall? The hon. Gentleman also asked, Whether the right hon. Gentleman is aware that

in the most central position in Ballinasloe there are sheds which are used as slaughter-houses, which emit a most offensive odour, dangerous to the health of the town; that the inhabitants of Ballinasloe and the Town Commissioners signed a requisition asking Lord Clancarty to remove those sheds, on the ground that they were a public nuisance, an impediment to the traffic, and a disfigurement to the town; that his Lordship refused, on the ground that they were a market house, in which his family had a vested interest of such a nature that he had no legal right to disturb it, especially as it had relation to the tolls and customs; and, if so, would the Local Government Board interfere and cause the removal of these sheds, and thus prevent the expense of a law suit?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, that these Questions required local inquiry, and he would, therefore, ask the hon. Member to postpone them until Tuesday.

MR. HARRIS: I shall be engaged next Tuesday at the Law Courts.

MR. A. J. BALFOUR said, he might put down the Questions for Monday; but he could not promise to be in a position to answer them by that day.

MUNICIPAL BOROUGHS (IRELAND)—TOLLS AND CUSTOMS OF BALLINASLOE.

MR. HARRIS (Galway, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the tolls and customs of Ballinasloe, which, owing to the great fairs held in that town, come to a large amount of money, are paid to Lord Clancarty; that, out of the money thus received, his Lordship contributes nothing towards the cleansing, lighting, or other municipal expenses of the town; and, if so, will the Government give an instruction to the Royal Commission on Market Rights and Tolls to hold a public inquiry in Ballinasloe?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have no knowledge as to the matters of fact referred to. I understand that Ballinasloe is one of the towns selected by the Royal Commission at which a public inquiry will be held by the Assistant Commissioners for Ireland in due course.

MERCHANDIZE MARKS ACT, 1887—SEC. 3, SUB-SEC. 2.

MR. O. V. MORGAN (Battersea) asked the President of the Board of Trade, Whether Section 3, Sub-section 2, of "The Merchandize Marks Act, 1887," is intended to apply to domestic as well as to foreign manufacturers; and, whether, under Section 2, a man would be liable to imprisonment who sold goods of British manufacture, bearing his name, but not actually manufactured by him?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said: The hon. Member asks me to place an interpretation on an Act of Parliament. I have no power to do so. I am not, however, aware of any such limitation of the application of Sub-section 2 of Section 3 of the Merchandize Marks Act as he alludes to in the first part of his Question. With reference to the second part, I would call the hon. Member's attention to the words "or merchandize" in the last line of the sub-section, which were, I understand, inserted to meet the contingency referred to.

COAL-MINES—COLLIERY ACCIDENT AT UDSTON, LANARKSHIRE.

MR. D. CRAWFORD (Lanark, N.E.) (for Mr. PHILIPPS) (Lanark, Mid) asked the Secretary of State for the Home Department, Whether he will lay upon the Table the Minutes of Evidence taken before the Udston Colliery Inquiry?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): If the hon. Member will refer to pages 10 to 14 of the Report he will see that they contain an abstract of the evidence given by the principal witnesses, both as to the facts and the causes of the explosion. Under these circumstances, I hope the hon. Member will not press me to incur the serious expense of printing a verbatim copy of the evidence, which is very bulky. I shall be happy to show it to the hon. Member.

BRITISH GUIANA—THE SILVER CURRENCY.

MR. WATT (Glasgow, Camlachie) asked the Under Secretary of State for the Colonies, Whether representations have been received from British Guiana

with reference to the worn-out condition of the silver currency in use throughout the Colony; and, if not, whether, in the event of such representations being made, the Government will favourably consider the question?

THE UNDER SECRETARY OF STATE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The Secretary of State has received no official representations on the subject; but the Colonial Government have the remedy in their own hands, as arrangements were made by the Treasury in 1879 by which new coin would be shipped to any Colony using British currency free of charge. The Imperial Treasury will also pay the full nominal value of all worn British silver sent in to the Mint.

POOR LAW (ENGLAND AND WALES)—MEDWAY UNION WORKHOUSE—CASE OF THOMAS WARD.

MR. CONYBEARE (Cornwall, Camborne) asked the President of the Local Government Board, Whether he can now state the result of his inquiries into the case of Thomas Ward, a pauper inmate in the Medway Union Workhouse?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): I have made inquiry respecting Thomas Ward, an inmate of the workhouse of the Medway Union. He was allowed leave of absence from the workhouse on the 1st of November last. He returned about 8 o'clock and went to his ward. He was while there drunk and disorderly, causing a great disturbance, swearing and using bad language. The circumstances were reported to the House Committee the next day; and they, having examined several of the men in the ward and ascertained the facts, directed that he should be charged before the magistrates. He was accordingly, on the following day, given in charge of the police. Before leaving the workhouse he was requested to change the workhouse clothing for his own; but he refused to do so, and the clothing was forcibly changed. This took place at 12·30 in the daytime, and not at 12·30 at night, as suggested. Ward was charged before the Justices, was convicted, and sentenced to 21 days' imprisonment with hard labour. The wife of Ward died in the infirmary in March, 1886, having been an inmate for many years. Ward was with her till late in the evening, the matron having given permission that he should visit his wife at any time during the day until 8 o'clock, and he had been continually in the infirmary. As there were 21 other patients in the ward, the matron did not feel justified in allowing a male visitor after 8 o'clock. Ward was informed of his wife's death early in the morning. It does not appear to me that any further inquiry as to the management of the workhouse is necessary.

ROYAL IRISH CONSTABULARY—INTERFERENCE WITH NEWSVENDORS AT CORK.

MR. FLYNN (Cork, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that the following cases of police interference with, and intimidation of, street newspaper vendors have occurred in the City of Cork—namely, Denis Desmond (young lad), who refused to sell to a policeman a copy of *United Ireland*, arrested by Sergeant Kennedy, and detained for a short time in Bridewell; Denis M'Carthy (young lad), refused to sell a copy of *The Cork Examiner* to Police Sergeant Power, arrested by Sergeant Power, taken to the Bridewell, and detained there for some time; John Radley (young lad), refused to sell a copy of *United Ireland* and *Cork Examiner* to policeman, arrested by Sergeant Power, taken to Bridewell, and detained there for some time; Cornelius Coakley (young lad), arrested for refusing to sell to policeman a copy of *United Ireland* and *Cork Examiner*, by Sergeant Power, taken to the Bridewell, and detained there for some time; Patrick Bradley (young lad), arrested under circumstances similar to the above by Sergeant Power; Patrick Carleton (young lad), refused to sell a copy of *Cork Herald* to policeman, arrested by Sergeant O'Leary, and lodged in Bridewell for some time; Michael Murphy (an old man of 70), he refused to sell a copy of *The Examiner* to policeman on beat, and the policeman kicked the old man's box about, scattered his papers, cuffed the old man, and warned him against selling the newspaper; and, whether, in view of these occurrences he will order an independent inquiry into these matters?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Sir, I am making special inquiries into the cases;

and if the hon. Member will put the Questions on Tuesday next I will try to give him an answer.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked whether, when the right hon. Gentleman the Chief Secretary made his speech at Battersea on the 16th of May, he was unaware of the circumstances there detailed, which took place in December last.

MR. A. J. BALFOUR: It has yet to be proved that the circumstances did take place.

EGYPT—RAILWAY BETWEEN WADY HALFA AND SARRAS.

SIR EDWARD WATKIN (Hythe) asked the Secretary of State for War, What is the present position of the railway (of about 100 miles in length, between Wady Halfa and Sarras, in Egypt) constructed by War Departments at a cost of about £140,000; who is in control; is the railway worked or abandoned; and, what has become of the rolling stock provided for it?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire) (Horncastle): The hon. Baronet is under some misapprehension as to this line of railway from Wady Halfa to Sarras. It is only 33½ miles in length, and was constructed by the Egyptian Government between 1873 and 1877. At the time of the Nile Expedition, and for military purposes, some expenditure was incurred in improving the line; but nothing approaching the sum named in the Question. On the abandonment of the country south of Wady Halfa the line was transferred to the control of the Egyptian Government, to whom the rolling stock was lent, so far as it had been provided from British funds. The sale of the stock is now under consideration.

COAL MINES — EXPLOSIONS — EVIDENCE BEFORE THE CORONERS' JURIES—THE ST. HELEN'S EXPLOSION.

MR. W. CRAWFORD (Durham, Mid) asked the Secretary of State for the Home Department, If he is aware that some of his Predecessors have had printed and issued a verbatim report of the minutes of evidence taken before Coroners' Courts in cases of explosions in mines; if he is aware that in the case of Seaham, in the County of Durham, where 168 lives were lost, and the inquest lasted 12 days, the right hon. Gentleman the Member for Derby (Sir William Harcourt) had printed in a Blue Book a full report of all the evidence taken before the Coroner and jury, although the workmen had not, or ever did attribute negligence as the cause of the disaster; if he knows that in the case of the explosion at St. Helen's Colliery, in Cumberland, the workmen do allege negligence of management as the direct cause of so many lives being lost, and that they contemplate taking legal action under the provisions of the Employers' Liability Act to recover compensation for the relatives of the deceased; and, whether, under these exceptional circumstances, he will order a verbatim report of the evidence tendered before the Coroner's Court or Courts in the St. Helen's inquiry?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The answer to the first Question is in the affirmative. I am not aware that the men allege negligence of management as the direct cause of loss of life, or that they contemplate taking legal action. I am unable to lay a verbatim report of the evidence upon the Table, as there was no shorthand writer present at the Coroner's inquest; but the Report which I have just received and will shortly lay on the Table of the House specifically refers to the important witnesses, and to the facts to which they deposed.

COAL MINES, &c. REGULATION ACT 1887—SPECIAL RULES.

MR. FENWICK (Northumberland, Wansbeck) asked the Secretary of State for the Home Department, Whether he has received from the Leicestershire district objections to Special Rules; and, whether he intends to take any steps to see that the wishes of the workmen are duly and properly attended to?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; I have received such objections. With the view of meeting the wishes of the workmen in this district certain amendments of the Special Rule were prepared by the Inspector, approved by me, and proposed to the owners, by whom they have generally been accepted.

THE PARKS (METROPOLIS)—COLLECTION OF MONEY IN SOUTHWARK PARK.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Secretary of State for the Home Department, If his attention has been directed to the fact that a summons has been served on a Mr. Fairbairn for collecting money after a political speech in Southwark Park; and, if this is the first summons that has been served under this bye-law of the Metropolitan Board of Works?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; I am informed by the Metropolitan Board of Works that the fact is as stated. Mr. Fairbairn is the first person who has broken the bye-law, and, consequently, he is the first person who has been summoned under it.

MR. CUNNINGHAME GRAHAM: Seeing that the Government apparently are about to suppress political meetings in London under pretexts, had we better not pass a Coercion Act for London, as for Ireland?

MR. SPEAKER: Order, order! Mr. Fenwick.

POST OFFICE (CENTRAL TELEGRAPH OFFICE)—PAYMENT OF SALARIES.

MR. FENWICK (Northumberland, Wansbeck) asked the Postmaster General, Whether he will give the staff of the Central Telegraph Office an opportunity of expressing their wishes as to the present system of payment of salaries, in the same manner as was done recently on the question of long and short duties; and, whether, if a large number of the staff are found to be in favour of weekly, instead of fortnightly, payment of wages, he will take steps to comply with their request?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University), in reply, said, that any officer in the Post Office was at liberty to apply to him through the usual official channel; and should the staff at the Central Telegraph Office submit an application he would give it attentive consideration. It would, of course, be premature to give any promise as to future action until the requirements of the Service and the wishes of the officers had received fuller consideration.

POST OFFICE (SCOTLAND)—SORTIN VANS BETWEEN BURNTISLAND AND DUNDEE.

MR. PRESTON BRUCE (Fifeshire, W.) asked the Postmaster General, Whether his attention has been called to the discontinuance at the beginning of this month of the sorting van, which for the last two or three years has been running between Burntisland and Dundee, and which has proved to be a very great public convenience in respect to the interchange of letters locally in the County of Fife; whether the discontinuance of this van is the act of the North British Railway Company, and connected with differences between that Company and the Post Office, now the subject of arbitration; whether the Post Office has made any attempt to arrange temporarily for the continuance of this van, so as to obviate the derangement and delay of mails which must result from its suspension; and, whether, failing agreement, he has power to compel, and will compel, the Company to restore this sorting van?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The facts generally are as stated by the hon. Member. The Post Office did attempt, but unsuccessfully, to arrange for the continuance of the sorting carriages in Fifeshire. Until the umpire in the pending arbitration has made his award, I shall not be prepared to re-enter on the consideration of this Question. I believe the last sitting of the umpire and arbitrators is fixed for the latter part of this week, so we may hope before long to have the award.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—SEC. 1—STATE OF DUBLIN COUNTY.

MR. CLANCY (Dublin Co., N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been directed to the following extract from the report in *The Freeman's Journal* of the charge of Mr. Justice Johnson, on the 5th instant, to the Grand Jury of the County of Dublin:—

"The County Inspector had furnished him with a list of the criminal offences that had occurred since the last commission, and he reported that the county was in a perfectly satisfactory state;"

and, whether the Report of the County

Inspector referred to correctly represents the state of Dublin County as regards crime; and, if so, what is the reason for applying to the County of Dublin the 1st section of "The Criminal Law and Procedure (Ireland) Act, 1887?"

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The general state of crime is not abnormal. But I would remind the hon. Member that the section cannot be put in force unless a crime has been committed; and, further, that the necessity for using the section does not depend on the amount of crime committed, but on the character and circumstances of the crime which has to be investigated. The Government desire to be in a position to put the section in force without delay if the necessity for it should arise.

MR. CLANCY asked, if he was to understand that the reason why this section had been applied to the County of Dublin was that possibly something in the way of crime might arise in future requiring the aid of the section?

MR. A. J. BALFOUR: The hon. Gentleman must not be too hasty in his inferences.

MR. DILLON (Mayo, E.): Perhaps the right hon. Gentleman can now explain to the House why this provision of the Crimes Act has been applied to the City of Dublin, when, since it was applied to the City of Dublin four weeks ago, no steps have been taken under the section? Now, as I think its application to the City of Dublin is extremely unnecessary, I think we are entitled to some explanation.

MR. A. J. BALFOUR: It was applied to the City of Dublin as included in the County; and my answer as regards the City of Dublin is precisely the same as the answer to the hon. Gentleman in relation to the County of Dublin.

MR. DILLON: I beg to point out that the right hon. Gentleman has given absolutely no answer to the Questions put to him. The right hon. Gentleman has given a purely hypothetical statement that possibly the Government might require the power of the section in case necessity might arise. I think we have a right to press the right hon. Gentleman for some statement of the reasons why the County and the City of Dublin are included under this section; because we are entitled to suppose that the Coercion Act would not be applied without some reason for it.

MR. A. J. BALFOUR: I do not know that I can give the hon. Gentleman the information he desires; but I may say that the County of Dublin is in an exceptional position in Ireland, as offences might be committed there which would blossom into crimes in other parts of the country.

MR. MURPHY (Dublin, St. Patrick's) asked, whether the object of this section of the Crimes Act was not to discover crime; and whether Mr. Justice Johnson, on the same occasion, did not say that the amount of crime in the City of Dublin was very inconsiderable?

MR. A. J. BALFOUR: I have already told the hon. Gentleman that the necessity for using the powers of the section does not depend on the amount, but on the character and circumstances of the crime which has to be investigated.

MR. DILLON: But what is the crime? Will the right hon. Gentleman say that there is any crime in the City or County of Dublin of such a character as requires to be investigated under Section 1?

MR. A. J. BALFOUR: I am afraid I should not be able to satisfy the hon. Gentleman with any answer I might give. I have nothing to add to what I have said.

THE LORD MAYOR OF DUBTIN (Mr. SEXTON) (Belfast, W.): Will the right hon. Gentleman, by a plain answer, enable the House to understand, with regard to the County of Dublin, whether or not any information has been sworn that a crime has been committed; or whether, in fact, any crime has been committed which renders it desirable, in the opinion of the Government, to apply the provisions of Section 1 of the Coercion Act?

MR. A. J. BALFOUR: Of course, the hon. Gentleman is aware that if information had been sworn that a crime had been committed there would be an investigation under Section 1. I am afraid beyond that I have nothing to add.

MR. CLANCY: Are we to understand, then, that no crime has been committed in the County of Dublin?

[No reply.]

LAW AND POLICE (IRELAND)—JOHN MAGUIRE.

MR. CLANCY (Dublin Co., N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether John Ma-

guire, of Swords, County of Dublin, against whom a warrant for arrest was issued for the second time early in March last, but who still remained at large at the end of April under the protection of the police, has yet been committed to prison; if so, when was Maguire arrested; and, what is the justification for delaying the execution of the warrant?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Maguire was arrested on the 10th of May. The execution of the warrant was delayed pending the result of inquiry by the Lord Lieutenant into a Memorial by Maguire. The magistrates ordered that the arrest should not take place until the Lord Lieutenant gave his decision on the Memorial.

MR. CLANCY: May I ask, is there any precedent for delaying the execution of a warrant on such grounds?

MR. A. J. BALFOUR: I am afraid I cannot answer that Question without Notice.

Subsequently,

MR. CLANCY said, as he did not hear the answer ——

MR. SPEAKER: Order, order! I must call the attention of the House to the practice, which is a growing one, after the Questions have been twice gone over, of Members reviving Questions which have been answered some time ago, and raising a series of further Questions upon them. I think that practice is causing serious inconvenience to the House.

MR. CLANCY: With your permission, Sir, I may state that I was about saying that I had not heard the answer of the right hon. Gentleman.

MR. SPEAKER: Order, order! That is hardly a reason, under the circumstances, for repeating the Question.

EVICTIONS (IRELAND) — RETURN OF CARETAKERS.

MR. A. E. PEASE (York) asked the Chief Secretary to the Lord Lieutenant of Ireland, When the Return of Caretakers evicted in Ireland, promised in February, and stated subsequently to be almost ready for presentation, will be placed upon the Table of the House?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Return was presented on May 31, and circulated this morning.

MR. A. E. PEASE asked, whether that Return was not one that dealt solely with evicted tenants — tenants reduced to the position of caretakers under Clause 7 of the Land Act; and, whether it was not a different Return to that which the right hon. Gentleman promised in February last?

MR. A. J. BALFOUR said, that the hon. Gentleman was under a misapprehension. The Return in question did deal with caretakers.

MR. A. E. PEASE: Not with the eviction of caretakers?

MR. A. J. BALFOUR: Yes, Sir. If the hon. Gentleman will look at the Return, he will see, on the first and second pages of it, that it does refer to the eviction of caretakers—of ex-tenants who are caretakers.

MINES—CERTIFICATES OF UNDER MANAGERS.

MR. BURT (Morpeth) asked the Secretary of State for the Home Department, Whether his attention has been called to complaints that persons who have acted as under managers of mines for many years have been refused certificates of service; whether it is true that in cases of refusal to grant such certificates no reason or explanation has been given to the applicant; and, whether, considering the dissatisfaction that exists and the interest that is taken in the subject, he will state the method of procedure and the principles that guide the Home Office in dealing with certificates of service?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; I have received such complaints. In the first instance no reason for refusal is given; but if remonstrance is made the reasons are set forth in detail. I consider my duty to be limited to ascertaining whether the candidate possesses the statutory qualification—namely, whether he has exercised functions substantially corresponding to those of an under manager. I have no right to exercise any discretion as to whether the candidate is otherwise personally qualified. The method of procedure is to refer each application to the Inspector of the district, who reports to me whether, in fact, the candidate possesses the statutory qualification.

The two main principles, speaking generally, by which I have been guided are—first, that the applicant shall have been next in authority to a certificated manager; and, secondly, that he shall have exercised control over a separate mine, or such part as might, under the Statute, have constituted a separate mine.

LAW AND POLICE (METROPOLIS)—ARREST OF JOHN MARA.

MR. CAINE (Barrow-in-Furness) asked the Secretary of State for the Home Department, If a man named John Mara, a printer, was arrested on June 2, in Hyde Park, by two detectives, on suspicion of being a pickpocket; if at the time of his arrest he was dressed in his working clothes, his hands being covered with printer's ink, with other marks of his trade to show that he was what he represented himself to be; if he stated at the Police Court that he has been employed by Mr. T. Sharp, 17, Great Titchfield Street, W., for the last 10 years, whose foreman has been to Marlborough Street Police Court to testify to his good character and respectability and to offer bail; if this bail was refused by Mr. Newton; and, if so, for what reason; if John Mara is under further remand till Saturday next, to enable the police to bring forward witnesses who "saw him walking about in a suspicious manner;" if, as the matter stands at present, John Mara remains in prison on suspicion only, the only charge against him being the unsupported evidence of two detectives; and, if he will at once order John Mara's release on bail?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the magistrate that the facts as stated in the Question are substantially correct, and that the prisoner is under remand on the evidence of two reliable witnesses, while other witnesses are to be produced on Saturday. I have no authority to order his release on bail.

MR. CAINE: Does it require a fortnight for two detectives to produce corroborative evidence of picking pockets in Hyde Park; and is there anything beyond the suspicion of those detectives that this man was engaged in picking pockets?

MR. MATTHEWS: I have given the hon. Gentleman all the information that I possess.

MR. CAINE: Well, I shall put down other Questions on this subject to-morrow.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL — THE LICENSING CLAUSES—THE COUNTY COUNCILS.

MR. SUMMERS (Huddersfield) asked the President of the Local Government Board, Whether he intends to persevere with the proposal to hand over to the County Councils the proceeds of the licences for the sale of intoxicating liquors?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): We do not intend, Sir, to make any alteration in our proposals in this regard.

HOUSE OF COMMONS—THE READING ROOM.

MR. HENRY H. FOWLER (Wolverhampton, E.) asked the First Commissioner of Works, Whether he will place some additional furniture in the Reading Room, so that the newspapers may be arranged in a convenient and available manner for the use of the Members of the House?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): Yes, Sir; I will endeavour to see whether better arrangements cannot be made in the Reading Room.

MR. ADDISON (Ashton-under-Lyne) asked, whether it might not be possible to get a better newspaper room altogether; and, also, whether the First Commissioner could not cause a more adequate supply of newspapers, particularly French and Belgian newspapers, to be procured?

MR. PLUNKET: The supply of newspapers does not come within my Department. I should like to see a better Reading Room; but I am afraid it is not possible to obtain one, considering the accommodation of the building.

WAR OFFICE (AUXILIARY FORCES)—THE YEOMANRY—LIMITATION OF AGE.

VISCOUNT EBRINGTON (Devon, Tavistock) asked the Secretary of State for War, Whether he will extend to the Yeomanry the Order recently issued to

the Volunteers, which limits the age for service in that Force to the years between 17 and 50?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): It is proposed to fix a limit of age for service in the Yeomanry, subject to exceptions in very special cases.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—REFUSAL TO GIVE EVIDENCE.

MR. W. REDMOND (Fermanagh, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the following in *The Daily News*:—

"At Falcarragh Crimes Court yesterday four prisoners were remanded for the fourth time to Derry Gaol for seven days for refusing to give evidence. An old man named Shane O'Donnell fainted on his third journey from gaol. He was with great difficulty resuscitated, and was eventually discharged;"

how long has this old man O'Donnell been in prison altogether; and, has he been charged with or convicted of any crime?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, that the Question only appeared on the Paper that morning; but if it were repeated on Monday he would endeavour to answer it.

UNITED STATES—SHIPPING CHARGES —DECLARATION FEE.

MR. O. V. MORGAN (Battersea) asked the Under Secretary of State for Foreign Affairs, Whether he has yet received an answer from Her Majesty's Minister at Washington as to the reason why shippers from England to the United States are charged a declaration fee of 2*s.* 6*d.* on each invoice in addition to the Consul's fee, while shippers from Germany to the United States pay no declaration fee?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham) (who replied) said: A letter containing the substance of the Report on the subject received from Her Majesty's Minister at Washington was addressed to the hon. Member yesterday. If he requires any further information I would suggest that he should communicate again with the Foreign Office, where the matter is receiving attention.

VENEZUELA—DUTIES AD VALOREM.

MR. HOWELL (Bethnal Green, N.E.) (for Mr. WATT) (Glasgow, Camlachie) asked the Under Secretary of State for Foreign Affairs, Whether the additional 30 per cent *ad valorem* duty upon all goods imported is still enforced by Venezuela; and, whether it is a fact that the trade between Trinidad and Venezuela has now virtually ceased to exist?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham) (who replied) said: We have no information that this additional duty has ceased to be levied. It is not a fact that trade between Trinidad and Venezuela has now virtually ceased to exist; but there was a falling off in 1887, as compared with 1886, of £10,246 in value of imports to Trinidad (excluding bullion in transit)—namely, from £179,274 to £169,028; and in exports of £26,722—namely, from £168,585 to £141,863.

TRADE AND COMMERCE — BRITISH AND FOREIGN MINISTRIES OF COMMERCE.

MR. CAUSTON (Southwark, W.) asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have instituted any inquiry, or obtained any information from Foreign Governments, showing the difference of organization between the Board of Trade in this country and the Ministers of Commerce of Foreign Administrations; and, if not, whether they will do so?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham) (who replied) said: No such inquiry has been recently instituted; but if the hon. Member will furnish the Foreign Office with particulars of the information he desires to obtain, and the countries from which it should be procured, Reports will be called for.

NATIONAL RIFLE ASSOCIATION—REMOVAL OF THE VOLUNTEER CAMP FROM WIMBLEDON.

MR. NORTON (Kent, Tunbridge) asked the First Lord of the Treasury, with reference to the removal of the Volunteer Camp from Wimbledon, and in consideration of the great advantage

to the country and the Volunteers generally if the annual meeting could continue to be held near London, and also the desirability of having a permanent range available for the Metropolitan Corps, Whether the Government will take steps to inquire as to the suitability of the Richmond Park site?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I understand that a deputation from the National Rifle Association waited upon my right hon. Friend the First Commissioner of Works this morning on the subject to which my hon. Friend refers. It will be the duty of the Government carefully to consider the representation which was made to the First Commissioner, and they will to do so with as little delay as possible, having regard to the importance of the question. But I must point out to my hon. Friend, that if only the annual rifle meeting is sanctioned in Richmond Park, it will involve the exclusion of the public from a portion of the Park for a fortnight every year, and necessitate the removal of a large number of trees in the line of fire; while if the butts were to be available as a permanent range, the public would have to be permanently excluded from an area amounting to about one-half of the entire Park.

THE ADMIRALTY AND THE WAR OFFICE—HYPOTHETICAL INVASION OF THIS COUNTRY.

SIR JOHN COLOMB (Tower Hamlets, Bow, &c.) asked the First Lord of the Treasury, Whether the Royal Commission to be presided over by the noble Marquess the Member for Rossendale (the Marquess of Hartington) will inquire into the relations between the Admiralty and War Office, as regards the conflicting statements made by the First Lord of the Admiralty and Adjutant General of the Army, respecting the transport required and available in French ports for the sudden invasion of this country by 100,000 men; whether the Commissioners will inquire into the relations between the Admiralty, the War Office, and the Treasury, with a view to ascertaining the grounds upon which the Treasury sanctions an annual expenditure by the War Office of over £14,000 a-year for military intelligence, besides over £4,000 a-year for military attachés, while the annual expenditure by the Admiralty for naval intelligence is under £5,000 a-year, and under £1,000 a-year for a naval attaché, as shown by Parliamentary Returns recently presented to the House?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): My hon. and gallant Friend is aware of the terms of the Reference to the Royal Commission on the Admiralty and War Office; and it is for the Commission, as a body, to determine what points they will or will not deal with. No Member of Her Majesty's Government can give any instructions to or interfere with the proceedings of a Royal Commission; and, under these circumstances, it is impossible for me to give my hon. and gallant Friend any definite information on the point which he has raised.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL — THE LICENSING CLAUSES — SUSPENSION OF NEW LICENCES.

SIR WILLIAM HOULDSWORTH (Manchester, N.W.) asked the First Lord of the Treasury, Whether, in view of the withdrawal of the Licensing Clauses of the Local Government Bill, the Government would be willing to introduce into that Bill a clause, or to bring in a short Bill to suspend for 12 months the issue of all new licences for the sale of intoxicating liquors, as was done in 1871, pending further consideration of the question?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): In answer to my hon. Friend, I have to state that the Government are not prepared to enter into any arrangement or engagement with the House to introduce a Bill suspending for 12 months the issue of all new licences for the sale of intoxicating liquors.

MR. COBB (Warwick, S.E., Rugby): Arising out of the answer of the right hon. Gentleman, I beg to ask him whether, after the declaration made by the President of the Local Government Board in introducing the Local Government Bill, the House is to understand that the Government intend to postpone indefinitely dealing with the questions of Local Option, Sunday Closing, and the conferring of powers for granting licences upon Bodies to be elected by the ratepayers?

MR. W. H. SMITH: The hon. Gentleman must draw his own inference from the course which the Government have been compelled to take.

Subsequently,

SIR WILLIAM HARCOURT (Derby): With reference to the Notice given by the Government of their intention to omit certain clauses of the Local Government Bill, I beg leave to give Notice that when a Motion is made to omit Clause 9, relating to Sunday Closing, I shall oppose the omission of that clause.

GREENWICH HOSPITAL ESTIMATES.

CAPTAIN PRICE (Devonport) asked the First Lord of the Treasury, Whether the Greenwich Hospital Estimates will be referred to the Select Committee on Navy Estimates?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Greenwich Hospital Estimates will not be within the terms of the Reference to the Select Committee on Navy Estimates.

BUSINESS OF THE HOUSE.

In reply to Mr. OSBORNE MORGAN (Denbighshire, E.),

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, that, in the present condition of Public Business, it was impossible for the Government to fix a date for taking the two Bills dealing with the subject of tithe rent-charge.

In reply to Sir WILLIAM HARCOURT (Derby) and Mr. BRADLAUGH (Northampton),

MR. W. H. SMITH said, there would be a Morning Sitting to-morrow for the Local Government Bill. It might be necessary to take Supply one day next week—he hoped not more than one day—and the other days would be devoted to the Local Government Bill; but he would state definitely to-morrow if it would be necessary to take Supply, and, if so, on what day it would be taken.

GERMANY—HEALTH OF HIS IMPERIAL MAJESTY FREDERICK III.

MR. HOWORTH (Salford, S.): In view of the alarming news about the German Emperor's health, I should like to ask the Government whether they have received any information of a more re-assuring character than is contained in to-day's newspapers?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I regret deeply that it is not in the power of the Government, nor in my power, to give the House any re-assuring information. We have not received any telegram from Berlin since the early morning, and all the information that has reached us is of the character to which my hon. Friend refers.

Subsequently,

MR. W. H. SMITH said: About an hour and a half ago I was asked by my hon. Friend the Member for Salford a Question with reference to the condition of the German Emperor. At that time Her Majesty's Government had received no telegram from our Ambassador at Berlin; but we have since received a telegram, dated 3 o'clock to-day, from Berlin, informing us, I regret to say, that the Emperor's condition is much worse than it has been, and that there is now very little hope entertained of his recovery. Inflammation of the lungs has set in; but the Ambassador informs us that His Imperial Highness's intellect is perfectly clear, and that he is suffering no pain. It is with very great regret that I make this communication to the House; but it is, at least, some consolation to know that His Imperial Highness is free from pain, and that his intellect remains unclouded.

EXCISE DUTIES (LOCAL PURPOSES) BILL.

MR. BARTLEY (Islington, N.) asked Mr. Chancellor of the Exchequer, When he proposes to take the Wheel Tax Bill; or whether they were to understand the right hon. Gentleman meant to give it up?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I thought I had several times informed the House that that tax has not been given up. The time when it will be taken will depend on the progress of the Local Government Bill. It stands in the same category as other measures.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—THE COUNTY COUNCILS.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE)

(Tower Hamlets, St. George's) announced that he hoped a Paper would be in the Vote Office this evening giving the suggested numbers of the County Councils. This might be a convenience to hon. Members in view of the discussion on the subject.

In reply to Sir UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe),

MR. RITCHIE said, that he hoped the Amendments to the Bill would be laid on the Table to-morrow.

ORDERS OF THE DAY.

—o—

NATIONAL DEBT (SUPPLEMENTAL) BILL.—[BILL 264.]

(*Mr. Chancellor of the Exchequer, Mr. William Henry Smith, Mr. Jackson.*)

CONSIDERATION.

Bill, as amended, *considered.*

SIR WILLIAM HARCOURT (Derby): I wish to ask the Chancellor of the Exchequer whether, upon the third reading of this Bill, he will tell the House what he proposes to do with that portion of the Three per Cent Consols which still remains unconverted? At present, there is a considerable difference between the price of the old Consols which have not been converted and those which have been converted, so that the persons who did not take the advice to convert have got a good deal better treatment than the people who did convert. Therefore, there is a considerable portion of Stock, the amount of which I do not know, which is worth 20*s.* more than the converted Stock.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I cannot admit that because for a few weeks the converted Stock has fallen below par, therefore it is true that those who have not converted have got a better thing than those who have converted. The Three per Cent Stock is now in such a position that it can be paid off on 12 months' notice. Whether they will be in as satisfactory a position as those who have got a Stock on which 2½ per cent or 2¾ per cent is guaranteed for a certain number of years is a question for the right hon. Gentleman and others to determine. If they are paid off at par in the course of a year, and should not be able to invest as well as they can at this particular moment, I should say that they will not be in so favourable a position as the holders of the New Stock. I think it is premature for the right hon. Gentleman opposite to attempt to mar the success of the operation.

MR. SPEAKER: I must call the attention of the right hon. Gentleman to the fact that there is no Question before the House. No debate can arise at this stage, and the third reading will be taken to-morrow.

MR. GOSCHEN: I will answer the question of the right hon. Gentleman specifically and exactly on another occasion; but I may say now that out of a total of about £590,000,000 and more, the amount still outstanding is about £47,000,000.

DR. TANNER (Cork, Co. Mid.) asked the Chancellor of the Exchequer, whether, in connection with the Bill, Clause 1, which spoke of the market price of the Three per Cent Stock, referred to annuities or assets in the case of the National Debt Commissioners, in respect of trustee savings banks?

MR. SPEAKER: Order, order! There can be no discussion upon this stage of the Bill.

DR. TANNER intimated that he would put the question to-morrow.

Bill to be read the third time *To-morrow*, at Two of the clock.

NATIONAL DEFENCE [REMUNERATION, &c.]

COMMITTEE.

MATTER—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of remuneration to Railway Companies for receiving and forwarding traffic under the authority of a Secretary of State or the Admiralty, and of compensation to any person suffering loss for anything done under such authority, in pursuance of any Act of the present Session to make better provision respecting National Defence."—(*Mr. Secretary Stanhope.*)

MR. PICTON (Leicester) said, there had been no explanation of the necessity for this Resolution. There was nothing to justify such a Resolution, except some expectation of invasion

that appeared to him to be a most improbable thing. Such a Resolution was calculated to excite a great deal of alarm. If such a monstrously improbable contingency were to arise, he supposed that any Government would seize the railways in case of necessity, and ask for a Bill of Indemnity afterwards. He presumed it would be impossible that there would be any invasion of this country without some amount of previous rumour or expectation. If such a difficulty were to arise, Bills could be passed through the two Houses within 24 hours, or even less, in case of necessity. He could not see that any good ground had been shown for the Resolution, and he hoped the Secretary of State would give some information to the House upon the subject.

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle): This is only a formal Resolution on which a Bill would be founded. When the clause comes on in Committee, the hon. Member will have an opportunity for raising the question. Although we certainly do not anticipate an invasion, we believe that the best way to prevent the possibility of such a thing is to be prepared. We are only asking for such powers as we deem reasonable and necessary, and which we might have to use in the case of emergency.

Question put, and *agreed to.*

Resolution to be reported *To-morrow*, at Two of the clock.

CUSTOMS (WINE DUTY) BILL

(*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson.*)

[BILL 293.] SECOND READING.

Order for Second Reading read.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.): In moving the second reading of this Bill, I may, perhaps, be allowed to call the attention of the House to the circumstances which have rendered it necessary to introduce it. It will be in the recollection of the House that my right hon. Friend the Chancellor of the Exchequer (Mr. Goschen), in introducing his Budget, asked the House to sanction a tax upon bottled wines to the extent of 5*s.* per dozen. The House on that occasion was good enough to grant my right hon. Friend's demand; but in the course of the discussion, and on the Report stage of the Bill, the hon. Gentleman the Member for Newcastle (Mr. Craig) moved a Resolution and initiated a discussion, suggesting the exemption from the tax of all wines under 30*s.* a dozen That proposal met, I may say, with a very large amount of acceptance in the House, and it met also with what I may venture to call a benevolent reception from my right hon. Friend the Chancellor of the Exchequer. It was pointed out most forcibly that the proposal to tax all bottled wines at the same rate of 5*s.* per dozen would fall very heavily on a very considerable portion of wine which was imported into this country in bottles of a very useful character, but which comes in at a very moderate price. It was quite recognized that if any plan could be found by which exemption, or partial relief, could be given to this class of wines, it was the duty of my right hon. Friend to consider it, and, if possible, to give effect to it. As the result of that discussion, my right hon. Friend promised to the House a plan by which some relief might be given to wines of that character. The difficulties were recognized by my right hon. Friend when he had to consider them previously to the introduction of his Budget to this House. It was pointed out at the time that there were at the disposal of the Government very few figures which enabled my right hon. Friend to form a very accurate estimate, either as to the quantity of bottled wines imported into this country, and still less of the quantity of the proportions of those bottled wines which would have to be exempt because they were less than 30*s.* a dozen. I believe that for some considerable time there have been no separate statistics kept at the Customs with reference to the importation of bottled wines. But the opportunity which had been offered has enabled some figures, which I believe may be taken to be reliable, to be obtained, showing not only the total import of bottled wines into this country, but also affording an approximate estimate as to the proportion of sparkling wines and still wines comprised in that total. I have said that there were no statistics, and perhaps it may be thought by some hon. Members that my right hon. Friend and the Department over which he pre-

sides are to blame because those statistics are not forthcoming. Let me point out to hon. Members what the obvious answer to that is. After the statement I have made that no separate statistics have been kept of the quantity of bottled wines imported into this country, it is obvious to every Member of this House that to have entered into an investigation, and to have called for statistics from all parts of the Kingdom, would have been most effectually to have informed the public beforehand what was in the mind of my right. hon. Friend previously to the introduction of his Budget, and I think that I may say that there is not the smallest evidence to show that in the inquiries which have been made, necessarily limited as they were, the secret was not well kept by the Department, and it was absolutely unknown to the public that my right hon. Friend contemplated imposing a duty on bottled wine. The investigation which has taken place, and I may say that it took place both at home and abroad—has not only furnished us with what I believe to be reliable figures, but it has also, I may say, at the outset, considerably facilitated the task which my right hon. Friend had set before himself. The figures which have been obtained show that the original estimate was under the mark, and that my right hon. Friend had a considerable margin in which to work in his endeavour to find a method of giving exemption to those wines which are under 30*s.* a-dozen. I will give to the House a few figures which have been obtained as the result of the investigation. These figures, although an estimate only, have been checked in various ways, and are believed to be approximately accurate. It is estimated that the total import of bottled wines into this country is in round figures 2,500,000 gallons. Of those 2,500,000 gallons, about two-fifths or 1,000,000 gallons are represented by still wines, and about three-fifths, or 1,500,000 gallons may be taken to represent the quantity of sparkling wines. Of the still wines, of which the total is said to be about 1,000,000 gallons, it is believed that, at a liberal estimate, about one-fourth—or about 250,000 gallons — consists of wines worth more than 30*s.* per dozen, while the remaining three-fourths, or 750,000 gallons will, it is estimated, come in below the limit of 30*s.* per dozen. Then, Sir, with regard to the sparkling wines, at which the total import is estimated at 1,500,000 gallons, about two-thirds, or 1,000,000 gallons will, it is estimated, come in over the limit of 30*s.* a-dozen, while about one-third, or 500,000, will come in below the limit of 30*s.* I should like to point out to the House one very important fact that has come to our knowledge and been impressed upon us in the course of these investigations—that is, that the customs and the habits of the people of this country in the direction of drinking wine appears very largely to have changed, and changed not only in regard to the particular wines which they drink, but also with regard to the quantity of wine they drink. While the total quantity of wine—not bottled wine only—imported into this country and retained for home consumption is now only about the same as it was in the year 1866 the proportion of sparkling wines which is imported into this country has enormously increased. Therefore, the importation of sparkling to still wine imported in bottle bears to-day a much larger proportion to the total than it did in 1866, or in any subsequent year. This change which has been going on appears from the figures to be, at all events for the present, continuous, and so far as we are able to judge it is likely to continue. I will give the House the figures. While in 1866 the total white wine imported into this country was taken at 958,000 gallons, in 1887 it had risen to 1,538,000 gallons, or an increase of very nearly 60 per cent. This, as I have pointed out, was the case notwithstanding the fact that the total of wine imported into this country for home consumption was in 1866, 13,226,000 gallons, and in 1887, 13,694,000 gallons. These figures go to show that the quantity of sparkling wine imported into this country, and of course imported in bottle, has shown a very considerable tendency to increase to even a larger extent than my right hon. Friend had estimated. Now, Sir, on these figures my right hon. Friend had to ask himself how he could grant relief to the cheaper wines, and thus meet what he believed to be the wishes of the House, and I hope I may also add the claims of Bordeaux. My right hon. Friend had to consider, first, how to protect and preserve his estimated

revenue; secondly, how to relieve the cheap wines; and, thirdly, how to do this without giving the least incentive to fraud and friction. Several plans were suggested and were open to him. The first which I will mention was one which naturally presented itself—namely, to exempt generally all wines from the tax which were under the value of 30*s.* a-dozen. But when this question came to be examined it was found, in the first place, that a general exemption of that kind would, as far as still wines were concerned, leave but a very small proportion of the whole upon which the tax could be calculated. I would remind the House that a general exemption of that kind, or even a special exemption, as applied to some wines would necessitate, of course, not only that an examination with endless forms of procedure should be gone through with regard to wines on which the duty was to be calculated, but also an examination of all the wines imported which were exempt. It would follow, therefore, and I think the House will agree with me, that for the purpose of raising the comparatively limited amount of revenue which would have been obtained from still wines, it was extremely undesirable to impose upon the traders any more irksome condition of dealing with it than was absolutely necessary in the interests of the Revenue. I will point out, further, that so far as still wine is concerned there is the greatest possible difficulty in fixing or making regulations by which, in a reasonably easy manner, the value of the wine can be readily determined and a tax levied. In the first place, in regard to still wine, it is not even enough to rely on the brand, even though that brand be Château Lafite, or Château Latour, or Château Margaux, because, I am told, that it happens that the vintage in certain years is not worth nearly so much as in others. These wines, which are known as high class vintage wines, have their bad seasons, and the wine of a particular vineyard might be inferior and not worth so much as wine grown outside of it in the same year. Perhaps I may be allowed to point out also in regard to these still wines that there is this important difficulty. There are, practically, none of these wines which cannot be imported in cask into this country, and, therefore, if you impose a duty of 2*s.* 6*d.* a gallon, or 5*s.* a dozen on all wines over 30*s.* a dozen in value, you will be offering a strong temptation, in the first place, to fraudulent declaration, and a strong temptation, in the second place, to import such wines into this country in casks and so evade the duty altogether. My right hon. Friend has come to the conclusion, taking all these circumstances into consideration, and also the important fact that he had a margin, to give an exemption to all still bottled wines. With regard to sparkling wine the case is very different. In the first place, a much larger portion of the whole comes to this country as wine of a value beyond 30*s.* a dozen, and, in the second place, it is believed that such wine cannot be imported into this country except as bottled wine. My right hon. Friend the Chancellor of the Exchequer has received many suggestions, even from high authorities, that if this duty is imposed as it is proposed, attempts will be made to evade the tax by sending sparkling wines into this country with false corks and replacing them when they come here with corks representing their real character. But I do not attach very much importance to that, and my right hon. Friend has arrived at what, I believe, to be a happy solution of the difficulty—namely, to put a tax of 2*s.* 6*d.* per gallon upon all sparkling wine over 30*s.* per dozen in value, and a tax of 1*s.* per gallon on all sparkling wine under 30*s.* per dozen in value. He is of opinion that that will fairly meet the difficulty, because, in the first place, it secures the Revenue, and, in the second place, removes all temptation to fraud, because the difference between 2*s.* per dozen and 5*s.* per dozen does not leave a sufficient reward or a sufficient incentive to induce anyone to undergo the enormous risk which would be involved in attempting to evade the Revenue and in incurring penalties by falsely declaring the value of wine. I may also remind the House that while we hear so much about temptation to commit fraud, no business firm of reputation could lend themselves to such fraudulent practices without placing themselves entirely at the mercy of their servants by whom the practices would have to be performed. The Bill now before the House makes two alterations in the existing conditions of things. It corrects what I cannot but feel was a mistake in the previous Bill—namely,

that the duty was imposed upon the dozen bottles instead of the gallon of wine. That has been remedied in the present Bill. The other alteration is that it changes the method of imposing the duty, that it exempts altogether all still wine from the additional duty, and that it moderates and modifies the duty upon those cheap champagnes of which we have already heard something in this House. I hope that the proposals of my right hon. Friend will meet with the general acceptance of the House. I will only say, in conclusion, that I shall hope to have the support of the right hon. Gentleman the Member for Derby (Sir William Harcourt), because the right hon. Gentleman was good enough to say on the Report stage of the Customs and Inland Revenue Bill, and in reference to this particular question—

"If the right hon. Gentleman undertook that in the course of the present Session he would introduce some legislation which, under the authority of Parliament, would carry out the principle of relieving the lower class wines, that would be most satisfactory."

The right hon. Gentleman the Member for South Edinburgh (Mr. Childers) was also good enough to say—

"If the Government would undertake to bring in a Bill as rapidly as they could after they had obtained information as to which particular wines, if imported in bottle, would pay the lower rate of duty, they ought to place confidence in the statement of the right hon. Gentleman that that would be done, but the matter would not bear much longer delay. If his right hon. Friend gave an assurance that no time should be lost in formulating a Bill under which the cheaper wines should come in at a cheaper rate, he thought the House might be satisfied."

The Government have endeavoured to carry out that undertaking. They have formulated this plan, which they submit to the House with confidence, and I beg now to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Jackson.*)

MR. CHILDERS (Edinburgh, S.): The quotation which the hon. Gentleman the Secretary to the Treasury has read from my speech is not strictly accurate. What I did say was that I hoped the Bill would be formulated as soon as possible by my right hon. Friend, that it would be acceptable to the House, and that we would do what we could to build a bridge for him, considering the retreat which he has to make. The position in which we stand at this moment is that the right hon. Gentleman the Chancellor of the Exchequer the other day gave the House at some length the new plan he proposed with respect to the Wine Duties, and when he had placed that new plan at great length before the House, I ventured to say that I thought so novel a proposal ought to be accompanied by some Paper laid before Parliament. My right hon. Friend said that it was not a novel proposal, and he justified that statement by a reference to what was done by my right hon. Friend the Member for Mid Lothian (Mr. W. E. Gladstone) in 1880, and also by a reference to the first arrangement of the Wine Duties for some years after 1860. Now, those proposals, and particularly that of my right hon. Friend the Member for Mid Lothian, had reference generally to bottled wines, and there was nothing novel, however it might be objectionable, in the first proposal of the Chancellor of the Exchequer; but the novelty of the present proposal in the first place is, that the additional duty is only to be imposed on sparkling wines, and the other and more important novelty is, that all sparkling wines are not to bear the same duty, but there are to be two duties—one with respect to the more valuable wine, and the other with respect to the wine which is of less value. Both of those proposals contain elements of absolute novelty in our recent legislation on this subject. The Bill of the right hon. Gentleman the Chancellor of the Exchequer was only brought in and circulated this morning, and I regret that it has not been accompanied by some document which would have been of interest to all of us. Of course we have not had time to consider the statistical statement which has just been made by the hon. Gentleman the Secretary to the Treasury. Let me state in a few words how it appears to me that the proposal of the right hon. Gentleman should strike hon. Members. In the first place, the right hon. Gentleman the Chancellor of the Exchequer made a proposal in the Budget of a perfectly plain and simple character—namely, to add 5*s.* a-dozen, or about 2*s.* 6*d.* a gallon, to the duty on all wines coming into

this country in bottle. Let me remind the House of the reason for taking that course, which the right hon. Gentleman gave at the time the proposal was made. He said—

"It is very possible that an extra tax imposed upon these high-classed wines may lead to some remonstrances from Foreign Powers; but I am bound to say that remonstrances of ours to Foreign Powers with regard to impositions of duties on British goods have not been so entirely successful as to make it necessary for us, more than is absolutely compatible with our own interests, to look beyond the fiscal merits of the question."—(3 *Hansard*, [324] 313.)

That was the first excuse of the right hon. Gentleman, and it was not unnaturally cheered by Fair Traders and others who looked upon retaliation as not an unwise act. Without in the smallest degree approving of retaliation, I am not at all surprised that that feeling was exhibited. Then my right hon. Friend went on to say, further—

"I propose a tax of 5*s*. per dozen on bottled wines, which is equivalent to 2*s*. 6*d*. a gallon. . . . . I estimate this tax to bring in an additional revenue of £125,000. I take note, in making this estimate, of the probable—nay, certain—diminution of the amount of wine which may at present be imported in bottles, and which will in future be imported in casks. It is possible that the bottling trade in England may receive a certain impetus, but I cannot conceive that that is an objection to the plan. . . . . I trust hon. Members will not grudge the imposition of this tax; but I admit that the greater portion of this additional tax will have to be borne by sparkling wines."—(*Ibid.* 313-14.)

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): The right hon. Gentleman has left out the reasons I gave for imposing the tax.

MR. CHILDERS: I am stating the right hon. Gentleman's answers to the objections which he anticipated would be made, and to objections which had already come. He made a statement on bringing forward his proposal, and in anticipation he met the objections to it. I would point out to my right hon. Friend that his present proposal will not give one iota of encouragement to the bottling trade. All that has gone entirely. No additional duty is to be imposed on still wines, however valuable, and of course sparkling wines always come to this country in bottle; so that the bottling trade, to whose support he appealed, will gain by the present proposal. Then, at any rate, the advantages which were so much cheered in a particular quarter of the House have disappeared altogether. Then, in respect of foreigners, let me point out how different is the tone of my right hon. Friend now from the language he used before. Although he anticipated that objections would come from Foreign Powers, and particularly from France, he made very light of those objections. But now everyone knows that this fresh proposal has been made in consequence of the objections of the French Government. The French Government are now satisfied with the arrangement made by my right hon. Friend; and, therefore, all that he said about our being entitled to disregard the remonstrances of Foreign Powers because they disregard ours was mere tall talk. The arrangement has been made, as everybody knows, after the most careful communications with Foreign Powers, and especially with the French Government, and it is no secret that the French Government are perfectly satisfied.

MR. GOSCHEN: That is the first intimation that I have received that the French Government is perfectly satisfied.

MR. CHILDERS: I think I can inform him that if he is not aware of it, it is apparent to 99 out of every 100 persons who are interested in the matter, and is perfectly notorious in France. What I wish to point out, however, is that all the boast of disregarding the protestations of Foreign Powers has now gone, and so has everything in reference to the encouragement of the bottling trade. The House will fully understand that we have now to deal with my right hon. Friend's proposal on the basis of what the hon. Gentleman the Secretary to the Treasury has stated to-night, and we have to cast aside the Budget speech and come to the simple fact whether it is desirable or not to pick out a certain class of wine—namely, sparkling wine, and to say that because that wine contains a certain amount of carbonic acid gas it should be taxed at a higher price than other wines which do not contain that amount of gas. It is also to be taxed at a higher rate if it is above a certain value, and at a lower rate if it is below that value. I do not think the House will be very well satisfied with the further explanation of the hon.

Gentleman the Secretary to the Treasury. Let the House remember this—we abolished, not off-hand, but after careful consideration, the whole of our system of *ad valorem* duties. The results of a century's experience of the evil working of *ad valorem* duties are now to be forgotten, and the system is to be applied to an article probably the worst fitted for the change. But in one point the former system is altered for the worse. When *ad valorem* duties were in force, the value was set by the importer; but to protect the revenue, the Customs had the power of purchasing the goods at an addition of 10 per cent to that value. This is the rule adopted by all foreign countries which still levy *ad valorem* duties. But if we claim to purchase without any addition to value declared, will not they retaliate? I do not know whether that point has occurred to my right hon. Friend, but, to my mind, it is one worthy of consideration. What will be the result of the plan now put before the House? The plan of the Budget, though, in my opinion, grievously objectionable, and glad as I am that my right hon. Friend has given it up, had, at any rate, one advantage, that it had the support of the trade, and also that it added simply so much to the duty on all wine in bottle. The change now proposed by my right hon. Friend, instead of having the support of the trade, has its strong opposition; the trade has expressed its opinion that the plan is practically unworkable. The hon. Gentleman the Secretary to the Treasury doubts whether it is unworkable, but he will not deny that the trade has expressed that opinion. If carried into effect, we shall have three classes of duty on wine—namely, a duty varying with alcoholic strength on all wine not in bottle, a higher rate on all wine imported in bottle below a certain value, and a third rate on all wine imported above a certain value. Further, if my right hon. Friend's original proposal, as contained in the Budget, had been carried out, he would, no doubt, have received a large amount of revenue. But is it worth while to disturb our Customs system for the sake of so small a sum as this will produce, and to bring back for such a trifle the *ad valorem* duty principle? Besides, if you introduce this principle as affecting wine, will you not be asked to treat spirits similarly? Brandy imported from North Germany is worth only a few pence a-gallon, whereas brandy imported from the Charente is worth as many shillings. I know the answer to that will be that that is a much more difficult matter, because we have home-made spirits to deal with also, and it would be necessary to disturb the Excise as well as the Customs' system. I presume that the same thing can be said in regard to beer; but there are two in our list of dutiable articles to which the answer would not apply—namely, tea and tobacco. If for the purpose of raising a small amount of revenue you are to introduce the *ad valorem* principle with regard to wines, you will certainly be asked to introduce the same principle in the case of tea. The higher class teas are worth several shillings per pound more than the inferior qualities, which may not be worth more than 6*d.* a pound, and if you disturb the rule which has been hitherto adopted for such a small matter as this, you may have *ad valorem* duties in regard to tea, by which the higher class tea would be taxed at double and treble the rate paid by the lower class tea, instead of the present uniform duty. Again, with respect to tobacco, experiments have been tried recently in reference to growing tobacco in this country. There is no doubt now, after those experiments, that tobacco cannot be grown in this country with commercial advantage if it pays the regular rate of duty. Then, what may follow? The result of my right hon. Friend's proposal may be that you will be asked to tax tobacco *ad valorem*. The inferior kinds of foreign tobacco are, I am aware, for the most part now imported into Germany, whereas the more expensive kinds come to this country and France; but, for the sake of encouraging the inferior home produce, you may have the strongest pressure to do what would ruin the revenue—namely, to impose two or three different duties on tobacco, varying with its value, to the utter destruction of the present trade. For these reasons, I warn my right hon. Friend that his proposal for the purpose of raising so small an amount of additional revenue is not worth the disturbance it will create. I hope that he will even now see the necessity of withdrawing it.

MR. CAVENDISH BENTINCK (Whitehaven) said, he wished to state the objections which he entertained to the Bill, and which were also urged not only by the trade associations which the right hon. Gentleman who had just sat down had mentioned, but also generally throughout the country It was a great misfortune that the right hon. Gentleman should have departed from his original proposals which had been accepted by the trade universally, and, as far as he knew, by the country generally. There might have been a question whether or not the duty should be levied so high as 5*s.*, but he believed that everybody throughout the country would have been glad to accept the principle. But, of course, the Chancellor of the Exchequer had to deal with the opposition of right hon. Gentlemen on the Front Bench opposite, who would, no doubt, have objected to any proposal made by the Government. Their great object was to get his right hon. Friend out of Office and secure it for themselves. That was a very natural feeling; but after having read very carefully the debate which took place on the subject, and having studied the official records of that debate, he (Mr. Bentinck) had come to the conclusion that there had been only two tangible objections made to the original proposals. The first was the fear of offending France and other foreign countries, and the other was lest injustice should be done to the consumers of the cheaper and lighter wines. Now, nobody had greater respect for France than he had, and he had no desire to say anything in disparagement of its Government. He was one of those who had always endeavoured to maintain the *entente cordiale*, and to promote a good understanding with France. At the same time, he did not agree with the hon. Member for West Bradford (Mr. Illingworth), who appeared to be always wanting to run away from France. He had seen a good deal of that sort of thing in his time, and, no doubt, the hon. Member had also; but we ought always to stick up for our rights, and he believed that if we took that attitude in this matter, there would not have been any disturbance in our commercial relations with the French, which had much more to lose than we had, and would find the retaliation policy disadvantageous in the long run. If the French took offence, they would have to give way in the end, and the views of his right hon. Friend would have prevailed. He believed that the wine introduced from Germany was comparatively small, but might there have been some complaint from that country. He very much regretted that his right hon. Friend had not stuck to his guns. He now came to the other objection, which was raised by the hon. Member for Newcastle (Mr. Craig), and that was, whether any injustice or injury would be done to the consumers of cheap wines. He maintained that no injury or injustice would be done. He thought it was a most unfortunate thing that his right hon. Friend had given up his proposal to tax still wines, especially when they were told that one-fourth of the still wines now imported were worth more than 30*s.* a-dozen and three-fourths were under 30*s.* a-dozen. If that were so, there was a stronger reason for adhering to the original proposal. If the figures of the Secretary to the Treasury were absolutely correct, on his own showing, of the still wine introduced into this country 1,000,000 gallons, or three-fourths, were under 30*s.* per dozen in value, and therefore, if the Chancellor of the Exchequer had kept to the original proposal, three-fourths of that wine would have escaped duty. He thought the Government had committed a great mistake in the matter, without giving any advantage whatever to the consumers of light wine. He was informed by those who were acquainted with the subject that there was no reason whatever why still light wines should not be imported in cask, and that it was very much better that they should be. The importation of still wines in bottle was nothing more than a premium upon adulteration. Many cheap wines which were imported in bottle were the result of mixture; whereas it was more difficult to deal in that manner with the wine imported in cask.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): No; they came principally in cask.

MR. CAVENDISH BENTINCK said, he was informed that there was at Cette, in France, a large manufacturer of cheap still wine for importation to this country which consisted of a mixture of three descriptions—a wine

grown in France, mixed with a Spanish port, and a coarse wine imported from Naples. These were all mixed together, and came to this country under the name of—well, perhaps, it would be hardly fair to state the name, but the right hon. Member for Mid Lothian would be familiar with it. It was difficult to adopt that course in regard to wine imported in cask. If the right hon. Gentleman the Chancellor of the Exchequer had stuck to his original proposal, there would have been an advantage to the consumer as well as to the Treasury. With regard to the proposal as to sparkling wine, he entirely agreed with what had fallen from the right hon. Gentleman the Member for South Edinburgh (Mr. Childers). The present proposal was for an *ad valorem* duty. It made it 2*s.* 6*d.* per gallon in one case, and 1*s.* in the other, according to the value. He believed that to be an unsound principle, and he was very sorry that it should have emanated from the Treasury Bench. He could not imagine for the life of him how the Custom House officers were to discriminate between the value of wines. He was old enough, he was sorry to say, to remember the time when works of art coming into this country from the Continent were subject to an *ad valorem* duty, and in that case, if there was any difficulty, the owner declared the value, the Custom House officers charged 10 per cent upon it, and there was an end of the matter. How that was to be done in the case of wine he could not imagine. The right hon Gentleman had adopted a very unfortunate principle, and one which he could not support. He should not pretend to divide the House against the second reading of the Bill; but he should feel it his duty to bring forward some Amendments in Committee, and he hoped, therefore, that his right hon. Friend and the Secretary to the Treasury would give ample time for that purpose. He could assure his right hon. Friend that the matter was being gravely considered by the whole trade throughout the country. It was no light question, or one that ought to be decided in a violent hurry; but while he entertained objections to the Bill, he hoped his right hon. Friend would not give way to the suggestion of the right hon. Gentleman the Member for South Edinburgh, that he should withdraw his proposals altogether, because he thought it was possible to amend the Bill in Committee, and it was better that only sparkling wines should be taxed than that there should be no taxation at all. He thought there might be some advantage to the bottled trade, and he did not hesitate to say that the principle established was not at all inconsistent with the principles of Free Trade to put small taxes upon manufactured articles for purposes of revenue. He wished that the proposals of his right hon. Friend had remained as they originally stood; because he believed they would be acceptable to the country at large. He hoped the right hon. Gentleman would tell the House when he proposed to take the Bill in Committee.

MR. W. E. GLADSTONE: What the right hon. Gentleman who has just sat down complains of is this—that, as the plan of the Chancellor of the Exchequer first appeared before us, it undoubtedly contained a protective element, and that protective element has now disappeared. Hence arises the hostility of the right hon. Gentleman to the proposal. The right hon. Gentleman thought that he had obtained from a distinguished supporter of Free Trade a concession which was a sort of incipient conversion, and that right hon. Gentleman was acting contrary to the principles of which he had always been a distinguished advocate. His hopes had been disappointed, and consequently he now opposes the plans of the right hon. Gentleman the Chancellor of the Exchequer. I need not say that that is not an inducement to those who sit on this side of the House to vote with the right hon. Gentleman. But the right hon. Gentleman appears to me, with a singular absence of tact, to do everything in his power to prevent us from voting with him; because he has taken occasion to introduce into his speech the unnecessary expression of his conviction that on this side of the House we never open our mouths to criticize any proposal of the Government, either great or small, except for the purpose of putting the Government out of Office. The right hon. Gentleman has thought it necessary to lash us with the indignation which he has used on many previous occasions, even on this somewhat insignificant occasion. I wish now to say a

word upon the proposal of the Government as it now stands before the House, as I feel it my duty to take part in the discussion and to express a very decided opinion on the plan as originally submitted. I cannot quite share the superlative exuberance of the Secretary to the Treasury (Mr. Jackson). Does he really suppose that there has been some wonderful new device formulated by the Chancellor of the Exchequer by which he has extricated himself from a serious and awkward dilemma? The new invention is simply in itself a retractive measure—a falling back on the measure of *ad valorum* duties, which, after much experience, was abandoned as the principle of our trade legislation. I cannot, therefore, go the length of the Secretary to the Treasury, or say that I am pleased with the proposal of which my right hon. Friend the Member for South Edinburgh has pointed out the inconvenience and danger. I should be glad indeed if the speech of my right hon. Friend could persuade the Chancellor of the Exchequer to recede from the plan altogether, which I believe to be by far the best way of dealing with the subject. It is only fair, however, to the Chancellor of the Exchequer to say that, as between two evils, he has chosen the lesser. For my own part, I regard the mischief contained in the proposal as of an entirely different order, and of a very much milder character than the danger and mischief which seemed to attend the original plan. What we had then in view was the serious apprehension of the disturbance of our trade relations with one of the most important countries of the Continent, and, possibly, by example and by contagion, with other countries on the Continent also. I am very glad indeed to be able to congratulate my right hon. Friend sincerely on the fact that he has so modified his plan that we may, I think, dismiss all apprehension of this kind from our minds. The danger which was to be feared from the first proposals arose in part from the augmentation of the duty which was imposed, and partly from the protective element involved. The original plan appeared to bring those very serious dangers into view. The danger which we have now to consider amounts to this—that the proposal may lead, or, at least, it is conceivable that it may lead, to undervaluing and fraud, and to the disturbance and confusion of trade which is connected with fraud, and indirectly in that way to the loss of revenue sooner or later. The Secretary to the Treasury has told us that of the sparkling wines, two-thirds are above the value of 30*s.* and one-third below that value. I take it for granted that an inquiry has been carefully made, and we may take those figures to be absolutely correct. But I think it will not be at all hazardous to predict that in future years, the proportion of wine entered below that value will increase; while the proportion of that above will have a tendency to diminish. But what I should like to say, however, is that having had very great and serious injuries in view on a former occasion, I now find those evils reduced and brought within a manageable compass. I do not know whether the proposal of the right hon. Gentleman will last long or not; but, at any rate, if inconvenience is found to arise, it will be within our own discretion to remove it, as the proceeds he expects to realize are not of a very important character. We shall not be creating disturbances in our relations with trade in a foreign country, which, when once created, it would have been impossible for us to escape from, because it would not have depended upon our free will and independent agency to abandon the proposal—but once the mischief had been done, the mere abandonment under such circumstances may have been totally ineffectual. Well, what the House has now before it is an experiment of some hazard. I am sure the Chancellor of the Exchequer knows all about the history of the wine trade, and how the difficulty of the *ad valorem* duty was always regarded as an insurmountable difficulty. I am inclined to agree with my right hon. Friend that the difficulty would not be so great in the case of sparkling wines as if the duty were applied to wine in general. Still, I cannot dismiss the apprehension that the ingenuity of trade would not be satisfied by this imposition upon wines of a higher value than 30*s.* a dozen if there was nothing of a magical or even of a determinate character in the kind of value so fixed. It may be, and I think it is far from improbable, that it will be found that a door will be opened to fraud under the modified scheme; but I am glad to think that if that be

so, the necessity of retracing our steps, although perhaps inconvenient, will not be a national misfortune. In my opinion, at an earlier stage of the matter, we were really within danger of a national misfortune, and that danger has only been removed in consequence of the judicial changes made by the Chancellor of the Exchequer in the direction in which he has moved. Should Parliament find that objectionable practices are resorted to, it will be in its power to apply a remedy. I, therefore, offer a relative congratulation to the Government upon the plan they have proposed, and, undoubtedly, a a portion of my own anxiety having been removed, I am not disposed to offer any opposition to the plan of the right hon. Gentleman as it now stands, and I venture to hope that it may be found to work well.

MR. ILLINGWORTH (Bradford, W.) said, he was sorry that he was unable to find himself in accord with his right hon. Friend the Member for Mid Lothian (Mr. W. E. Gladstone) with respect to the scheme of the Chancellor of the Exchequer removing the objections which were raised to the scheme in its original form. Now, it would do so partly, but it would still remain a considerable drawback and disadvantage, and he should be glad indeed if the Chancellor of the Exchequer would, even at the eleventh hour, be induced to withdraw the Bill. He had hoped that the right hon. Member for South Edinburgh would have proceeded with a little more vigorous decision, and would have moved the rejection of the Bill at this stage. If the Chancellor of the Exchequer had been at his wit's end how to raise the money on a great emergency, he could not have fallen into a worse plan than the form in which the Bill was originally presented to Parliament. What was it that the right hon. Gentleman was seeking to accomplish. He was trying to scrape together from most objectionable sources a sum of money that would enable him to make up a surplus whereby he would be able to reduce the Income Tax by 1*d.* in the pound. He (Mr. Illingworth) could not imagine that the right hon. Gentleman seriously meant to retain the proposition that was contained in the original scheme, and he should like to ask the right hon. Gentleman whether its inception had anything to do with the construction of a weapon which might he used against France in reference to the Sugar Duties? [Mr. GOSCHEN said, the Government had no such desire.] He was glad to find that there had been no such desire on the part of the Government. He was, nevertheless, at a loss to conceive why the right hon. Gentleman should have imposed a tax of this character. It was said that this was an *ad valorem* tax, but it did not even stand on that footing pure and simple; because if it had been a tax on wines above a certain value, it would have applied to still wines as well as to sparkling wines, whereas it was a tax which was to be levied only on a certain class of wine. Hitherto, the tax had been levied on foreign wines according to their alcoholic strength, but a new principle was was now about to be introduced. In reality, this tax would be known in the future as the bubble tax. The right hon. Gentleman had discovered where the bubble lay in the wine, and had made it a basis of increased taxation. It was said on that side of the House that the French Government were satisfied; but, curiously enough, the Government did not seem to be aware of the fact that the alteration of their scheme had given satisfaction to the French Government. He confessed that some of the objections to the original scheme had been removed; but it was impossible to say that the French Government or the French people could be entirely satisfied with a proposal which imposed increased taxation upon French wines, and not on the wines of Germany or any other Government. He thought the French people had a right to complain, and the fact that the imposition of the tax might produce a coolness in our international relations was a question which could not be lightly passed over. He still entertained a hope that the Government would find an easy way of withdrawing their proposal, seeing the objections that were taken to it, and having regard to the fact that it was in the teeth of all the previous convictions of the right hon. Gentleman. He hoped the right hon. Gentleman would listen to the appeal which had been made to him from that side of the House, and the opinion which had been expressed by Gentlemen on the other side that it was

not a satisfactory measure. In that case, he might find a method of escaping the difficulties and inconveniences which might possibly arise from standing by the measure. Nothing could be more injurious to this country, standing as it did at the head of the commercial world, than to set an example that would operate injuriously upon the trade of any country. We had adopted Free Trade principles, and he appealed to the House either to stand by them, or in a straightforward manner to abandon them. The present scheme did neither one nor the other, and it gave no satisfaction to anybody. It invited a spirit of retaliation from other countries, and the right hon. Gentleman in levying the tax did not attempt to give any counterbalancing advantage to France. The right hon. Gentleman had given no explanation, or entered into any details, as to the objections which had been raised by France, but it was satisfactory to find that a better feeling had now been established, and that the most obnoxious part of the proposal had been removed.

MR. BRADLAUGH (Northampton) said, that the Bill was a concession by the Chancellor of the Exchequer, as far as it went, to objections raised from that side of the House and initiated by himself on the earliest mention of these wine duties. Without entering upon the question of sparkling wines, of which he would say nothing whatever, he felt bound to thank the Chancellor of the Exchequer for having made this concession as to still wines, more especially as, from communications which had reached him, he had reason to believe that the right hon. Gentleman had been subjected to pressure from the trade not to make it.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, that quite apart from the main question of these duties he wished to express his satisfaction that the right hon. Gentleman the Chancellor of the Exchequer had been able to make the change proposed in the Bill, which was to introduce an experiment in the direction of an *ad valorem* duty. He rejoiced at what had been done, not only on account of the wine trade of the country, but also on account of the wider reasons mentioned by the right hon. Gentleman the Member for Mid Lothian. He had always thought it was right to differentiate between the wine of the rich and the wine of the poor. If the right hon. Gentleman the Chancellor of the Exchequer carried out this experiment with regard to wine, in which he sincerely hoped he would succeed, and in that event the principle of *ad valorem* duty, which had on account of practical difficulties only not been applied before, might be resorted to with regard to other articles also. He approved the system under which the officers of the Revenue might take wine at its declared value, which system had been in use in India in his time and was found to be a most useful check.

MR. GOSCHEN: I have to thank the various speakers who have addressed the House for the conciliatory tone which they have adopted towards this proposal. My right hon. Friend the Member for Whitehaven (Mr. Cavendish Bentinck), although he objects entirely to the changes made, was still very conciliatory in his language, and I would especially thank my right hon. Friend the Member for Mid Lothian (Mr. W. E. Gladstone) for what he called his relative congratulation on my proposal. My right hon. Friend objects on the whole to taxes on bottled wine, but less to the present proposal than that which was previously made. There are three points which have been discussed with reference to this matter of duty; one bearing on the wine imported from France, another the introduction of the *ad valorem* principle, and the third the exemption of cheap wine from duty altogether. The main objection urged in letters received from the wine trade is that the modified proposal is too favourable to cheap wine. It appears for the most part that the trade do not like cheap wines at all. But I understand that there is a feeling in the House that cheap wine should be admitted on as favourable terms as possible. It has been stated to me by wine merchants that they liked the previous tax of 5*s.* on cheap wines because it discouraged the importation of a great deal of nasty stuff which ought not to be sold. I am bound to say that this has not made a strong impression on my mind, because I believe, however much we may wish to reach what is legitimately called a luxury, there is no disposition in the House to tax unduly what are called cheap wines. My original proposal would have had

the effect of taxing the cheaper bottled wines, but I am glad to say that I now feel able to exempt all still bottled wines and to reduce the duty on Saumur. It is perfectly true, as the right hon. Gentleman the Member for South Edinburgh (Mr. Childers) suggested, that by this method some high-class still French wines will escape, but if the duty had been left upon them the result would have been so small, as explained by my hon. Friend the Secretary to the Treasury, that it would not have been worth while to touch all still wines for the sake of the small duty that would have been derived from the high-class portion of them. We have calculated that no more than one-tenth of the still wine now coming to this country in bottle would henceforth have paid duty, if everything under 30*s.* a-dozen were let off. Therefore, nine-tenths of the still wines would have been subjected to all the difficulty of proving their claim to exemption in order to tax the other one-tenth. For this reason we propose now to tax only sparkling wines, two-thirds of which are above 30*s.* value, and one-third only below that value. My right hon. Friend the Member for Mid Lothian says that these proportions will diminish as time goes on, and that more wine will come in of less than 30*s.* a-dozen value. But it seems to me, as my right hon. Friend has stated, that it will be easier to detect the value of sparkling wine than that of still wines. It is infinitely easier to detect the value of sparkling wine, because the whole of the trade is in much fewer hands than in the case of Bordeaux. The great champagne houses have reputations to lose, and you can follow their wines with much greater ease than you can the ordinary red wines. In the case of champagne, the corks in most cases bear the brand of the firm and the year of the vintage, and it would not be worth while for the sake of 2*s.* a dozen to dispense with those marks which stamp the wines in the London market and secure for them the prices which they obtain. Now, with regard to the *ad valorem* principle, the right hon. Gentleman the Member for South Edinburgh has asked whether for the small amount of revenue derived from this duty it is worth while to introduce such a novel principle. But, Sir, I do not admit that £125,000, the amount to be derived from sparkling wine, an article of luxury, is an item to be disregarded. My right hon. Friend suggests that it is dangerous to introduce this principle, and that pressure might be used to extend it to other articles. I am not at one with my right hon. Friend, and I do not object to the *ad valorem* principle, so far as its equity is concerned; I object to it, when I object at all, on account of the difficulty of working it out. But even if you found it could be easily worked out in this case, it would be no argument in favour of its application in the case of tea and tobacco for instance. If you could discriminate between the tobacco smoked by the poor man and the fine cigar of the rich man, I should be only too glad to introduce such a change in our revenue, and the same with regard to tea; but there are no marks indicative of value in these cases which are very easily discoverable, as there are in the case of sparkling wines. There is one point remaining to which I have to ask the attention of the House, and that is the question of the attitude of France. What I stated on this subject to my right hon. Friend the Member for South Edinburgh was perfectly true. We have had no negotiations with the French Government on the subject; they have acknowledged from the first that we have entire fiscal liberty. I have had one or two conversations with my friend M. Waddington; I am more or less acquainted with what is going on in France. But our conversations were entirely unofficial, and what M. Waddington has said had been that he had no instructions to express approval or disapproval of any particular modification, though he might express his own individual opinion about it. The English Government have claimed, and will continue to claim, entire freedom in this matter, and that claim has never been disputed. After the speech of my right hon. Friend the Member for Mid Lothian I do not want to say anything controversial; but, at the same time, I must point out that our position with regard to the original tax was rendered more difficult by the debate which took place, in which the French people were informed on the authority of a right hon. Gentleman of great position that there was a protective character in the Bill. We asserted from the beginning that there was no Protection whatever in our proposal, but I admit it was far more likely to be quoted as a prece-

dent for Protection in France after the speech of the right hon. Gentleman. The hon. Member for West Bradford (Mr. Illingworth) appears to regard with unction the prospect of international difficulties on this question, but the House will be glad to know that there is not the least reason to believe that the tax on sparkling wine will interfere in the slightest degree with the friendly commercial relations with France which Members on both sides of the House desired to see maintained. I have now only to thank the House for the way in which they have generally accepted this proposal, and I think that it would be generally for the interest of the trade that the Bill should now be pushed forward with all possible speed.

SIR WILLIAM HARCOURT (Derby) said, he did not wish to prolong the debate for a single moment, and would not have intervened but for the fact that the right hon. Gentleman the Chancellor of the Exchequer had thought it necessary to complain of the conduct of right hon. Gentlemen on the Front Opposition Benches. If they had not pointed out the danger and mischief of the right hon. Gentleman's original proposal, he would have gone on with proposals which he now himself admitted were founded on an entirely erroneous estimate; he would have discovered that the tax would have been double the amount which he had placed in his Budget. In the Budget the right hon. Gentleman assumed that the tax would produce £100,000, but he now found, on reference to the Customs, what he did not know before—namely, that the tax as originally proposed would produce £300,000. Therefore, their objection had enabled the right hon. Gentleman to ascertain the true facts with regard to the trade, and which led him to review his scheme. It was true that they regarded this plan of the right hon. Gentleman's as less objectionable than the one which he first brought forward, and they were extremely glad that the course which they had taken had brought about an amendment of that scheme, but as the right hon. Gentleman had stated he must not assume that hon. Members on that side approved the imposition of this tax even as altered. The right hon. Gentleman was not going to interfere with the trade in bottled still wine. Of course, it was always inconvenient to have to put an increased duty on wine; but he could not now see any justification or reason for interfering with sparkling wine by imposing this additional duty. He believed the amount expected to be raised was so small compared with the inconvenience, that it was not worth while to impose the duty at all. Whether the *ad valorem* system was good or not remained to be seen. He had been informed that the ingenuity of the trade had already begun to discount this question of high and low priced wines, and that a plan had also been started to average them and bring them under the 30*s.* value. If that were so, it was plain that they would in vain endeavour to impose this *ad valorem* duty. In any case it would, for a very small advantage, cause a great disturbance in the trade, and he regretted the right hon. Gentleman had ever brought forward this proposal. He did not accuse the right hon. Gentleman the Chancellor of the Exchequer of any protectionist proclivities, although an unfortunate phrase, which he did not believe was intended, had been seized upon by persons addicted to those doctrines.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.—[BILL 182.]

(*Mr. Ritchie, Mr. William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Secretary Matthews, Mr. Long.*)

COMMITTEE. [FIFTH NIGHT.]

[*Progress 12th June.*]

Bill *considered* in Committee.

(In the Committee.)

PART I.

COUNTY COUNCILS.

Clause 2 (Composition and election of Council and position of chairman).

Amendment proposed,

In page 2, line 5, after paragraph (d), to insert—"(d.) Every councillor shall be entitled to claim a sum in payment of the expenses, if any, actually and reasonably incurred by him in travelling to and from the place of meeting of the council."—(*Mr. Arthur Acland.*)

Question proposed, "That those words be there inserted."

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, he need hardly state that there was every sympathy on the part of the Government with the desire given expression to by the Amendment moved by the hon. Member for the Rotherham Division of the West Riding of Yorkshire (Mr. A. H. Dyke Acland). The Government desired that every facility possible should be given to those who desired to become members of the County Council. But the proposal of the hon. Gentleman was one which was more far-reaching than even he (Mr. Ritchie) anticipated. The Government thought that the facility which he desired should be afforded to certain people to attend the County Council ought to be made as it was made under other circumstances, privately rather than from the rates. So far as he knew, there was no precedent whatever for a proposal such as that which the hon. Gentleman made, and they felt that if it were assented to at all, it ought not to be dealt with under an Amendment in connection with this Bill, but by means of some general measure. Even if Her Majesty's Government could agree to the principle, it would certainly be most undesirable to accept the principle of the hon. Gentleman's Amendment in the Bill now before the House. It was impossible, if such a proposal were accepted, that it would stop at the County Council; it would be demanded that the same principle should be carried out in all local matters, in the case, for instance, of Poor Law Guardians. They knew quite well that persons had often to travel as much as 10 or 15 miles in order to reach the place of meeting, and that, with very few exceptions, the workhouse was as accessible as the town in which the County Council was likely to meet, and, therefore, sometimes expenses would be incurred by members of the Board of Guardians in reaching the scene of their labours. Again, the meetings of a Board of Guardians were very much more frequent than those of the County Council would be. Then there were the Highways Boards and the Burial Boards. The members of those Bodies were often put to no inconsiderable expense in fulfilling the duties of their office, and there was no means of providing the expenses necessary for the fulfilment of their duties when they were carried out within the area of their election. But not only, in his opinion, if this principle were accepted, would it have naturally to be applied to most other local institutions, but it would also form a very strong argument in favour of its application to Members of Parliament. ["Hear, hear!"] That cheer which met his observation only showed its great importance; it was clear that hon. Gentlemen who supported this proposal were prepared to carry it out very much further, and the argument he used was, therefore, very much increased in force. Clearly this was only the thin end of the wedge by which the burdens ultimately to be borne by the ratepayers and the taxpayers would be increased. If there was one thing which many hon. Members feared with reference to these County Councils, and the proposal to extend municipal institutions throughout the country, it was the extravagance and expense which might possibly result. That he believed the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) the other day admitted when he said that in all probability the new plan of the Government would be attended with more expense. But if this principle was to be accepted, he thought the legitimate fears of hon. Gentlemen would be greatly intensified, and that a prejudice would be created against these County Councils which ought not to be set up. Therefore it was not only the question of payment of expenses of members going to the County Councils, but also of expense connected with all local institutions. Again, it was unfortunately perfectly clear that the difficulty of working men coming to the House of Commons was greater than it was likely to be in the case of members going to County Councils. It might be said that the original proposal was a very moderate one, and that only those who were willing to accept payment of their expenses should receive such payment. But it was impossible, if the principle of this Amendment were acknowledged, to say that a member should go *in formâ pauperis* to claim payment of his expenses. Therefore the legitimate outcome was that every member should be entitled to be paid his expenses. [An hon. MEMBER: Why not?] He did not himself believe that the ratepayers

of the country were prepared to do that, and he believed, further, that if ratepayers were to think that these institutions were to be made the means of inflicting increased burdens on the rates, they would lose their interest in this measure. Believing, as he did, that this appeal was to be met, not out of the purse of the ratepayers, but by other arrangement which could easily be made, the Government were not prepared to accept the proposal of the hon. Member for Rotherham.

MR. BRADLAUGH (Northampton) said, he could understand the right hon. Gentleman objecting that the Amendment proposed was bad in principle. But, on the contrary, he understood him to say that it was right in principle. [Mr. RITCHIE: No, no!] He was going to say what he understood, and to explain why he understood the right hon. Gentleman to say that it was right in principle that working men elected to the position of Councillors or as Members of the House should be indemnified for expenses, or even remunerated for the services which they rendered. To use the right hon. Gentleman's own words, however, it was proposed that the expense should be met by private arrangement. The right hon. Gentleman did not say that the principle was wrong; he only objected to the thing being known and done openly.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE): I beg the hon. Gentleman's pardon. I expressed the fullest sympathy with those who desire to see facilities given to gentlemen to attend the County Councils, but I did not recognize that the principle of payment out of the rates was right.

MR. BRADLAUGH said, he understood that the right hon. Gentleman recognized the principle of payment if it were done privately. If he did not mean what he said, it was unfortunate, that he had said it. But what other private arrangement could be made which did not involve private payment? He could understand the right hon. Gentleman objecting to any kind of payment, whether or not thrown upon the rates, but words ought to have some meaning, and the words of the right hon. Gentleman were that the expense should be met privately rather than out of the rates. He (Mr. Bradlaugh) said, that any payment made should be made publicly. Private payments were unfortunate payments; payments made by societies of men to those who represented them in the House of Commons or on the County Council were retainers to the people who were paid, whereas he maintained that those who sat in that House should represent the interest of the whole of those by whom he was elected and not the interest of the men who made private payment for the purposes suggested. He said that the suggestion of the right hon. Gentleman was an immoral suggestion. It might be said that his (Mr. Bradlaugh's) suggestion was immoral; but, then, he was not ashamed of his views, although he found often that the right hon. Gentleman was ashamed of his when they were put to him in clear language. There might be a local objection to the payment of members, but the effect of non-payment would be to exclude from the County Councils, as it had excluded in a great measure from that House, a number of men who might be of great service to it. He had always thought that Members of Parliament, or of any Public Body, ought to be paid for the services rendered to the public who elected them. He did not believe that many Members worked for nothing. He thought they all worked for some object; with some it might be personal ambition, more or less praiseworthy, or it might be the desire to have a place in the Government, which he thought a laudable aim for any man to seek in politics. But he put it, that to exclude from these Councils, which they were trying to make representative, men who could not, on account of the expense, reach the place where the Council was to be held was wrong. And, moreover, it was not correct to compare these County Councils with Boards of Guardians, school boards, and other institutions meeting close to the homes of the members. The very essence of this matter was that men must come from a long distance to the centre where the County Council met, and if they excluded all kinds of indemnity for the expenses of the persons elected, they limited the candidates to one class of men only—namely, that which could bear the expense of attendance. He did not shrink from accepting the consequences of this Amendment. He admitted that this

was the assertion of the principle that men who were ready to give their services to the State in various forms should be indemnified not in a fashion which laid them open to a sneer. The proposal was a rough and ready way of meeting a difficulty which at present prevented poor men from sitting on the Councils. There was no dishonour in private payment, but it was an objectionable mode of proceeding; and, as he had said, payment should be made openly. The right hon. Gentleman said it was undesirable to raise the principle of the Amendment now. Why? It must be raised at some time, and it was undesirable now only because the right hon. Gentleman would have to face the discussion on this Bill instead of leaving it to be faced on some other. That was the only objection. The right hon. Gentleman thought that private payment was moral, but he (Mr. Bradlaugh) thought it immoral, and it was for that reason he should support the Amendment of the hon. Member for Rotherham, and should not shrink from the consequence of doing so.

MR. KNATCHBULL-HUGESSEN (Kent, Faversham) said, he was glad that the Government was going to resist this most dangerous proposal. No one who was conversant with public business could doubt that, whatever might be the mode of administration by County Councils, there would be very great increase of expense. It was admitted that the present system had worked well on all hands, and a Minister of the Crown had stated that it had been most admirable and most economical. He could not help thinking that there were some who viewed this Bill with very great misgivings, and the right hon. Gentleman the President of the Local Government Board was accurate when he said that these misgivings were due to the fact that they foresaw a great addition to the burdens on the rates. It appeared to him that, if this Amendment were passed, it would only be a sample of what they might expect in future. [*Cheers.*] That cheer undoubtedly forshadowed that this proposal, if carried, would be followed by another to pay members not only their expenses, but for their services on the Councils. He saw that there was already on the Paper Notice of an Amendment, the object of which was the payment of the Chairman. But if the Chairman was to be paid, why not the County Councillors? Undoubtedly the effect of this Amendment would be greatly to burden the rates, and further greatly to increase corruption and jobbery. He trusted the Government did not intend that this point should be reserved, and he hoped they would put down their foot against it in order that a settlement of the question might be at once arrived at.

MR. JOHN MORLEY (Newcastle-upon-Tyne) said, that he had no difficulty in understanding the position the right hon. Gentleman who had just spoken had taken up, and the feeling on the opposite side of the House which he now represented with regard to the Bill as a whole. The hon. Gentleman said that he viewed this Bill with great misgiving; that being so, it was perfectly natural that he should resist a proposal, the effect of which would be to make the Bill what the framers had expressed their desire that it should be—namely, an effective means of bringing into the County Councils representatives of all classes. He was amused at the position taken up by the right hon. Gentleman the President of the Local Government Board. The right hon. Gentleman sympathized entirely with the object with which this Amendment was framed; but he opposed it because it was the thin end of the wedge. He (Mr. John Morley) wondered whether any proposal had ever been brought before the House or the country, however beneficent and wise, which had not been condemned, especially by the Party opposite, as the thin edge of the wedge. He did not discuss whether it was, or it was not, the thin edge of the wedge; but the argument of the right hon. Gentleman was no dissuasive from supporting the Amendment. The question was not whether Members of that House should ultimately be paid. That question was one which, no doubt, would be raised one of these days, probably an early day, and when it came before them they would know how to deal with it. The present proposal was a very much smaller one. It was not a proposal to pay members of County Councils for their services; it was merely a proposal to enable a certain class of men, whose services the Government admitted they desired to have on these Councils, and whose knowledge would be a public ad-

vantage, to enable them to take part in the government of their districts. There were considerable bodies of men interested in these proposals, miners and labourers, and there were, he thought, in some of the poorer counties, considerable bodies of farmers to whom it would be a consideration and a real object to be spared the expense of going three or four times a-year from their own localities to the place were the County Councils were held. Again, there were in many counties ministers and clergymen of the Church of England, whose services the Government had admitted they were desirous of having on these Councils, to whom these travelling expenses would be undoubtedly an object. If the Government were to be consistent in carrying out the principle of the Bill he could not see how they could fail in supporting the Amendment of the hon. Member for Rotherham (Mr. A. H. Dyke Acland). The right hon. Gentleman had said they did not pay the expenses of members of Boards of Guardians, School Boards, and other Local Authorities. However right that may have been formerly, they were now creating Bodies of much wider scope and importance; and what might have been a very wise and necessary exception in the case of smaller Bodies might be perfectly unwise and undesirable in the case of the Bodies which they were now about to create. His hon. Friend the Member for Rotherham had already stated, with reference to his Amendment, that there might be one or two additions that might be made to it. He (Mr. John Morley) thought it might be desirable to limit the concession of travelling expenses to the journey strictly from the place where the men resided to the seat of the County Council—he meant that the members should not be entitled, if they were in London, for instance, to claim expenses for the whole of the journey to the County Councils. But all these were matters of detail, which he believed his hon. Friend was willing to meet, and it only remained for him (Mr. John Morley) to say that if his hon. Friend went to a Division he would cordially support the Amendment.

MR. WHARTON (York, W.R., Ripon) said, there was one matter in connection with this subject on which the Committee were left in doubt—namely, the fund out of which this payment was to come. They were not told in the Amendment whether it was to come out of the rate of the whole county, or whether it was to be met from the rates of the particular district for which the County Councillor was returned. He thought this a most important consideration, and that the matter ought to have been set forth clearly on the face of the Amendment, because it seemed to him monstrous to suppose that a body of the ratepayers at one end of the county should be asked to support a County Councillor who came from another part of the county, and who might represent a very different interest indeed from that of the main body. He could not imagine a proposition which would be more distasteful to the main body of the ratepayers than this. He was only too glad that the Government put down their foot firmly against this proposal. They had been plainly and honestly told in the course of the debate that this was but the beginning of what hon. Members opposite hoped to come about in the end. Hon. Members had shown that this was clearly the thin end of the wedge, and that they were only to look at this as the beginning of the proposal, and that if the principle were admitted not only County Councillors but Members of Parliament would have to be paid for their services. He trusted that this would be distinctly understood, not only inside the House, but that every ratepayer throughout the country would know what was going on. [*Cheers.*] He was glad to hear those cheers, because at every public meeting which he had addressed he found that the ratepayers had taken a very considerable interest in this question of payment of expenses, and because this was only one of the Amendments out of many which, if they were carried, would add enormously to the expense of the working of the Bill. They had in that House at the present time Gentlemen who had been sent up by some of the great trade bodies in the North, and if it should be the case that the great Trade Unions in the North should wish to send members of their body to the County Councils, he knew that the County Councils would most gladly welcome them. If those men were sent they would be paid for by those whose special interest they repre-

sented. In that case, why should this claim be made on their behalf? He, for one, agreed with the Government in resisting the Motion, and he protested against the attempt to cast this burden on the ratepayers.

MR. LABOUCHERE (Northampton) said, he feared that hon. Members opposite did not really understand the object of the Amendment. The object was to diminish the burdens borne by the ratepayers by enabling them to send poor men to the County Councils; the idea being that poor men would scrutinize the expenditure which rich men were prone to sanction. He must congratulate the right hon. Gentleman the President of the Local Government Board on the speech he had just made. It was conceived on fine old Tory lines. It was precisely that kind of speech they so often heard in that House from Tory Ministers when Liberal measures were proposed. The right hon. Gentleman commenced by expressing his strong sympathy with the objects of the proposal; he then said, "but,"—and he (Mr. Labouchere) then knew perfectly well what was coming. He had heard the argument used again and again. The proposed change, the right hon. Gentleman intimated, was not a change which ought to be introduced at that particular moment. "Bring in a Bill dealing with the subject generally," the Representative of the Government always said on these occasions, "and then we will consider it." Would the Government give facilities to him to bring in a Bill to enable every Member of Parliament to be paid his expenses during the time the House was sitting? If the right hon. Gentleman would do that, he would engage to bring in such a Bill; but he knew then that the counter argument would be used. The Government would say then—"We must learn by experience what would be the effect of the change, it will be better to try it in a single case, and then we shall see the result." That was always how Her Majesty's present Ministry met any proposal which might be brought forward on the Liberal side of the House, either in Committee or in general discussion on a Bill. The right hon. Gentleman said there was no precedent for such a proposal as this. Was the right hon. Gentleman not aware that in times gone by—those fine old times Conservatives were so fond of alluding to—in times gone by Members had received payment for their expenses up to London and for their expenses while in London, and, what was more, they did not receive it from the Imperial Exchequer, but received it, as suggested in the present Amendment, from the local rates. Therefore, there was no new precedent in this matter. The right hon. Gentleman ought to know that a Member of the House of Lords had got a right, a legal right, whenever he came to fulfil his duties in Parliament, to step aside into the New Forest—probably the right hon. Gentleman the Member for Derby (Sir William Harcourt) occasionally saw Peers strutting about the New Forest—a Member of the House of Lords had a legal right, on his coming to Parliament, to step aside into any of Her Majesty's forests and to kill a buck. He and his hon. Friends merely wished to apply to the case of the poor men who were sent to County Councils a principle which applied to the Peers of the Realm. The right hon. Gentleman appeared to him not to have read his own Bill, for he said—"You will have to extend it to other cases, to burial boards, and highway boards." Why, did the right hon. Gentleman not know that his own Bill did away with burial boards and highway boards? The right hon. Gentleman finished by protesting against what he called "extravagance and expense." He seemed to think extravagance and expense were entirely identical; that as this would involve expense, it would, therefore, involve extravagance. He (Mr. Labouchere) admitted it would involve, primarily, expense; but the great object in view was to enable people to send men to the County Councils who would prevent extravagance.

SIR CHARLES LEWIS (Antrim, N.) said, he desired to draw the attention of the Committee to the singular fact that this Amendment was vague in the extreme. They might believe it was intended to be vague; it provided that—

> "Every Councillor shall be entitled to claim a sum in payment of the expenses, if any, actually and reasonably incurred by him in travelling to and from the place of meeting of the Council."

Nothing was said about the meetings of the committees of which there would be very many. It seemed to him it might well be within the terms of this Amend-

ment that members of the Council coming to and from the Council upon any public business might claim their expenses. So far with regard to the vagueness of the language of the Amendment. With regard to the principle of the Amendment, he thought that all of them must be glad that in this country we had hitherto avoided the dangers and corruptions from which municipal institutions in the United States, had suffered. The whole difference between the practice in the United States, and in this country was that public men in England had hitherto always been distinguished by the fact that they had given their services; whereas in America the contrary rule had prevailed, members of public bodies being paid for the services they rendered. It had been freely admitted that those who were the strongest supporters of this proposal desired that there should not only be a payment for expenses, but also a payment for loss of time. The payment of members would, in his opinion, sap the foundation of political and municipal life, and, therefore, he should give to the proposal his strenuous opposition.

MR. BURT (Morpeth) said, he did not know whether the hon. Baronet (Sir Charles Lewis) had been remarkable for the characteristic of desiring always to work for nothing. However, he (Mr. Burt) wished to say a few words on the general question now before the Committee. He thought his hon. Friend the Member for Rotherham (Mr. A. Acland) had done good service by bringing the subject forward. The proposal seemed to him to be a very moderate one, and the hon. Gentleman stated very clearly and strongly the reasons which induced him to make it. Now, he (Mr. Burt) did not consider that the Bill they were discussing was in any sense a Radical measure. It professed to be so, but many of its provisions were calculated rather to diminish than to extend direct popular representation on municipal bodies in the country. He felt that unless some provision of the kind suggested was inserted in the Bill, the Bill would go very far in the direction he had indicated. For instance, his hon. Friend the Member for the Wansbeck Division of Northumberland (Mr. Fenwick) pointed out that at the present time workmen had direct representation on Local Boards and Town Councils and school boards. The right hon. Gentleman the President of the Local Government Board laid stress upon the want of precedent. But there was a precedent, although it might be a small one. He believed it was the case that Boards of Guardians had the power to pay the representatives whom they might send to conferences upon Poor Law questions. The right hon. Gentleman referred to the case of Local Boards and Town Councils and Boards of Guardians. He (Mr. Burt) was bound to point out that in the case of Town Councils, and in the case of school boards also, the members lived within a comparatively short distance of the meeting place, but the membership of County Councils would necessitate a very considerable amount of travelling and a good deal of expenditure. His one very decided feeling was that the representation would be in a very large measure confined to the well-to-do classes unless some such Amendment as that under consideration were adopted. Very kindly and friendly references had been made to the workmen who had Representatives at the present time in the House of Commons. The hon. Gentleman the Member for the Ripon Division of Yorkshire (Mr. Wharton) declared that the Trades Unions of the North had their Representatives here, and he was good enough to say that the Members of the House were very glad to welcome those Representatives, and to have them amongst them. [*Ministerial cheers.*] He was very glad to hear that assenting cheer, for it quite accorded with the treatment he himself had received during the whole period he had had the honour of a seat in the House. But the Trades Unions were not represented. The Members who were called labour Members were elected, and they came into the House of Commons exactly on the same footing as any other Member. They came as politicians; they appealed to the electors as politicians, and whatever might be their connection with, and, however, qualified they might be to represent the workmen on special labour questions, not one of them would be here if it were not for his political opinions. The other arguments which had been addressed to the Committee had been so completely dealt with by his hon. Friend the junior Member for Northampton (Mr. Bradlaugh) that he did not need to enter upon them,

In conclusion, he had only to say that if there was not a precedent, as the President of the Local Government Board said there was not, the time had come when a precedent should be made. He quite agreed that they were, to a large extent, endeavouring to assert a new principle. Hon. Gentlemen opposite might depend upon it that this was a proposal which would be made in the House again and again until it was, as it would be before long, carried to a successful issue.

MR. MILVAIN (Durham) said, he objected to the spirit and the principle of this Amendment. The expense of the representatives going to the Council meetings had been referred to as only a moderate expense, and that, therefore, they might get in the thin edge of the wedge. But he objected entirely to admitting the thin edge of the wedge when they ought not to admit the thick end of the wedge. What he maintained about the principle of admitting paid representatives to any representative assembly was that it would create so many individual prizes for the ablest and most unscrupulous demagogue who could catch what he believed to be the popular vote of the mob. Upon that ground alone he objected to the principle of the Amendment. The immediate Amendment before the Committee was, according to the professions of the hon. Member for Rotherham (Mr. A. Acland), to enable working men and lower-class tradesmen to take a greater interest in politics and the affairs of their county. He asked, assuming they were not paid their travelling expenses, was there anything to prevent their taking that interest in the affairs of their county and of their country by voting for men whom they thought fit to represent them on the County Council? He thought not; and what was more, he believed that, no matter what it was—insignificant or not insignificant—the expense of going to and returning from the County Council would not deter a man of honour and virtue from seeking election and obtaining representation. He denied altogether that this matter had been placed before the electorate yet. He denied that there was any demand for the payment of representatives; and he maintained—and he was prepared to be judged by his words—that where there had been such a demand, the demand was rapidly diminishing. He asked, why were we to pay the members of County Councils, or of any other representative assembly, when they could get the services of men of equal honour, of equal ability, and of equal education, who were prepared to do the work without a single penny of remuneration? The services rendered by the County Magistrates up to the present time in conducting the financial business of the counties had been rendered gratuitously, and no one would deny that that business had been conducted with efficiency and economy. What more could they expect from hon. Members who sought to be paid for their services upon County Councils? Let him put before the Committee the case of two persons seeking election to a County Council. Let them suppose that the men were of equal honour, equal ability, and of equal virtue—that one was prepared to do the service gratuitously, while the other sought to be paid for his services. Why, he asked, were they to saddle imperatively upon the ratepayers the additional expense of paying for the performance of services when they could be equally ably, equally efficiently, and equally economically performed by a person without the payment of his expenses? What was the foundation of the Bill—upon what principle was the Bill formed? The principle of the Bill was that taxation and representation should go hand-in-hand; and the ratepayers believed, and the counties believed, that if they had their representatives upon a Council supervising the expenditure of the revenue of the county, it would be conducted with greater economy than at present. But why, if economy was the object of the Bill, were they going to begin by saddling the ratepayers with a rate for the payment of the travelling expenses of the representatives? This Amendment would defeat the very object of the Bill from an economical point of view; and, furthermore, he maintained that paid representatives were not representatives who were calculated to conduct the business of counties with efficiency.

SIR WILLIAM HARCOURT (Derby) thought the hon. and learned Gentleman (Mr. Milvain) had made it very obvious why he opposed the principle of this Amendment. The hon. and learned Gentleman approved entirely of the

existing administration of counties by magistrates, which, he said, was gratuitous. But the object of this Bill was to remove the administration of the counties from that particular class of which the hon. and learned Gentleman entirely approved, and to throw open the administration of the counties to all classes of the community. Yet the hon. and learned Gentleman objected to an Amendment which was absolutely necessary in order to admit every class of the community into that administration, so, in point of fact, what he objected to was that the Amendment would not keep up such a condition of things as would confine the administration of the counties in the future to the same class of people who had monopolized it in the past. The hon. and learned Gentleman had made quite plain the real basis of his objection.

MR. MILVAIN said, he was sure the right hon. Gentleman would pardon him for interrupting him. He did not say, neither did he infer what the right hon. Gentleman had attributed to him. What he said was, that the necessary expense of coming to and from the County Councils would not deter any man of honour and virtue from seeking a seat.

SIR WILLIAM HARCOURT said, he had the highest opinion of honour and virtue, but he did not see that they defrayed travelling expenses; but he would not pursue that point. The hon. and learned Gentleman put a suppositional case; he said there would be presented to the ratepayers two men for election, they were to be of equal honour and virtue and of equal capacity, one of them could pay his own travelling expenses and the other could not. Surely, it was for the ratepayers to determine which they would elect. This Amendment would not compel the ratepayers to elect a man of honour and virtue who could not pay his own travelling expenses; it left to the ratepayers the option. [MR. MILVAIN: No, no!] Yes, it did.

MR. MILVAIN asked the right hon. Gentleman to forgive him, the right hon. Gentleman was not present when this Amendment was moved.

SIR WILLIAM HARCOURT said, he was.

MR. MILVAIN said, he begged the right hon. Gentleman's pardon, he did not think he was present. Anyhow, the hon. Member for the Wansbeck Division (Mr. Fenwick) seconded the Amendment, and also insisted upon the payment being imperative, as was shown by the Amendment which followed the present one.

SIR WILLIAM HARCOURT said, that he was speaking to the present Amendment, and the present Amendment did not make it compulsory that everybody should receive payment. It would be perfectly well known to the ratepayers whether the person they elected was or was not a person who would be likely to require to make a claim for payment. The ratepayers, therefore, had a free choice whether they would incur this expenditure or not. If they incurred this expenditure, and paid the cost of the travelling of a representative, when they might take a man who would not require his travelling expenses to be paid, it would be because they believed that the poor man would answer their purposes better, would represent their opinion better than the richer man. Therefore, this question of saddling the ratepayer against his will with unnecessary expense was one of those bogus arguments which were always raised against reform. The ratepayers would be perfectly able to judge, and they would be perfectly competent to judge whether or not it was worth their while, and convenient to their interests to elect a man whose travelling expenses they would have to pay. That was all the present Amendment proposed. He thought it was a perfectly reasonable Amendment; he thought it was an Amendment entirely in conformity with the professed object of the Bill—namely, that the representatives of all interests should come upon these County Councils, and he for one would give it his cordial support.

MR. FENWICK said, he did not wish to occupy the time of the Committee more than a few minutes, but he desired it to be distinctly understood that he did not second the Amendment of the hon. Member for Rotherham (Mr. A. Acland), but that he had put down an Amendment to that Amendment. He was not sure whether he would be in Order in moving his Amendment now. In his opinion the Amendment of his hon. Friend did not put the question sufficiently forcibly—to his mind, at least—before the Committee. What he

wished was that it should be imperative upon each member of the Council to receive payment. He was sure no Member on the Opposition side of the House would charge the hon. and learned Member for the City of Durham (Mr. Milvain) with being a demagogue or with in any way attempting to catch the vote of the mob. The hon. and learned Gentleman seemed, however, to insinuate that some of the Members on the Opposition side of the House were in the habit of doing such a thing. He (Mr. Fenwick) uttered his most unqualified protest against any such insinuation. The hon. and learned Gentleman the Member for the Ripon Division of Yorkshire (Mr. Wharton) asked them why, if a Trade's Union was disposed to force one of its members upon a constituency, another portion of the community should be compelled to pay the expenses of that member? The answer was very simple—namely, that the other portion of the community would propably have a member of its own whose opinions were different from those of the members of the Trade's Union who sent a working man to the Council meeting. The Trade's Union, as the hon. and learned Gentleman was pleased to term it, would have to pay, under this Amendment, a portion of the expenses of the representative of their opponents. The burden, therefore, would be equally divided. The President of the Local Government Board had said there was no precedent for the payment of such services, but the hon. Gentleman must have forgotten that we paid the members of Royal Commissions their travelling expenses when they were called upon to perform services in the interests of the nation. The services of the County Councillors were analogous to those which Royal Commissions were called upon to give. He very much regretted that the right hon. Gentleman had met this Amendment with a *non possumus*, because what was asked for was a very moderate concession indeed. As he pointed out in the course of the debate the other night the effect of the Bill without the Amendment would be practically to disenfranchise a large number of working men who now served on Town Councils, on Boards of Guardians, and on school boards. Let him instance the case arising in his own Division. There, probably, half of the members of the Local Board were working men. That was in a purely working class constituency, and if the Committee did not accept the principle of his Amendment, they would certainly debar these men from taking any part whatever in the Local Government of their own district. Though the working classes were five-sixths of the population they would be compelled to take as their representative a man whose sympathies were not in harmony with their own. He regretted exceedingly that the President of the Local Government Board had not seen his way to accept the principle of this Amendment. If he was in Order he would move his Amendment now.

Question put.

The Committee *divided:*—Ayes 199; Noes 243: Majority 44.—(Div. List, No. 149.)

MR. J. S. GATHORNE-HARDY (Kent, Medway) said, he rose to move the insertion at the end of the clause of the words—

"(e.) The Members of Parliament for the Division of the County, and of the boroughs therein, shall be *ex officio* members of the County Council."

He knew there was a great objection, as there had always been, to there being *ex officio* members of any board; and he, for his own part, had always had a certain sympathy with that objection, and on Boards of Guardians, wherever he found the elected members taking a strong part, he had always hesitated to offer any opposition to their wishes. But with regard to the provision that Members of Parliament should be members of the County Council, he did not think the statement that they were to be *ex officio* members was quite a true statement. As a matter of fact, they were elected by the ratepayers of the county for the very highest office it was in the power of the ratepayers to appoint them to, and there could be no doubt, he thought, that if a person who was a member for the county, or for a division of the county were to come forward as a candidate for the County Council he would be elected. With regard to this Amendment he was able to say what the mover of no other Amendment probably would be able to say. He would have the practically unanimous opinion of the Committee that Members of Parliament

were, at all events, fit and proper persons to sit upon the County Councils. He took it that there was no Member of the Committee who had not that confidence in his own abilities to think that he was competent to sit upon a County Council. He (Mr. J. S. Gathorne-Hardy) thought a Member of Parliament was not only a fit and proper person to sit upon a County Council, but one who ought to sit upon such a Council; and it was an extremely hard matter in these days that a person in that position should be forced to fight two contested elections in order to obtain two positions for which he was eminently qualified. He had heard that the opinion had been expressed that this Amendment might be accepted were the Member to sit upon the County Council, but to have no vote. He did not at all agree to that proposition, for, in his opinion, it would be an extremely mischievous one. The fact that a Member of Parliament was entitled to sit on the County Council without voting would very much militate against his being elected, if he thought fit to come forward as a candidate for any division. Voters would say he had already got a seat on the Board, and they might refuse to vote for him if he came forward as a candidate. Under such circumstances, Members of Parliament would really be put into the position of servants of the County Councils rather than of efficient members of it; therefore, he could not assent to any such suggestion. He earnestly hoped the Committee would take this Amendment into serious consideration. He was sure that, unless hon. Members were very different from himself, there were not many of them anxious to fight more contested elections than they were obliged to. He was confident hon. Members would agree with him that County Members and the Members for boroughs were fit and proper persons to sit upon the new County Councils, and that, indeed, they ought to be on the Councils. He thought that when a man was elected by the ratepayers to the highest position in which they could place him, he might be relied upon to represent them fairly upon the County Council.

Amendment proposed,

In page 2, line 5, at end, insert (c) "The Members of Parliament for the divisions of the county and of the boroughs therein shall be *ex officio* members of the County Council."—(*Mr. J. S. Gathorne-Hardy.*)

Question proposed, "That those words be there inserted."

MR. LLEWELLYN (Somerset, N.) said, that the great charm of this Bill in the opinion of everyone was, he thought, that from beginning to end there were to be no *ex officio* element under it. Personally, he was very glad to find from what the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie), in explaining the Bill, had said that there was no loophole by which any *ex officio* element might be introduced. To his mind, it was a question whether Members of Parliament would make the best members of County Councils; there would be a great deal of work to do, and he knew that a Member of Parliament who attended Westminster regularly could not also attend regularly to county business. If he were to put himself forward, and to be elected as a County Councillor, it would be a question with him whether he could be of more use in the House of Commons or in the County Councils; certainly he could not discharge both duties efficiently. He did not wish to detain the Committee on this question; but still, as this suggestion had come from the Ministerial side of the House, he desired to say that, as far as he was concerned, the suggestion of the hon. Member was one which ought not to be entertained, because he believed mischief would arise if any *ex officio* element were introduced into the County Councils in any shape or form.

MR. RITCHIE said, he hoped that his hon. Friend (Mr. J. S. Gathorne-Hardy) would not press this Amendment. He entirely agreed with what his hon. Friend the Member for North Somerset (Mr. Llewellyn) had said—namely, that it would be most inconvenient, if they were to accept this Amendment, to give an expression of their opinion that there should still be retained the *ex officio* element upon these Councils. He felt very little doubt that Members of Parliament who were the Representatives of counties could very easily become members of these Councils in the proper way, if they desired to do so; but it would be an invidious distinction to say that certain gentlemen should have the right to be members of County Councils.

He did not think it would add to the efficiency of the Councils, neither did he think it would really tend in the direction his hon. Friend (Mr. J. S. Gathorne-Hardy) desired. He therefore trusted his hon. Friend would not press the Amendment.

MR. J. S. GATHORNE-HARDY said, that, of course, after the remarks of the President of the Local Government Board, he would not press his Amendment.

MR. CHAPLIN said, that, no doubt, to the Amendment, as drawn, there was considerable objection, because it was quite possible to conceive that men would become members of Councils in counties in which they had no stake whatever. Of course, it frequently happened that a man was elected to represent a county or a division of a county or a borough with which he was in no way otherwise connected. If his hon. Friend would consent to the insertion of the words "and otherwise qualified" after the word "therein," he (Mr. Chaplin) must say he could not for his own part agree to the objection which had been raised to the proposal. Everybody desired that the best men in a borough or a county, as the case might be, should become members of the Council. He thought it was very exceptional indeed if a man, who had undergone a hotly contested Parliamentary election, were willing to undergo, immediately afterwards, another equally hotly contested election for the County Council. He was told it would be impossible for Members of the House of Commons to do their duty upon these Councils; but what did they see in the House? Over and over again they saw among county Members men who were the most regular attendants in the House, men who never missed a Division, but were always in their place, yet, somehow or other, they managed to attend Quarter Sessions also. He could name Gentlemen who attended here most regularly, but who had never missed a Quarter Sessions in their lives. He supposed, however, that there was no use in arguing the matter if the Government were not willing to accept the proposal.

THE CHAIRMAN: Does the hon. Gentleman withdraw the Amendment?

MR. J. S. GATHORNE-HARDY said, he had no objection to withdraw it; but he totally differed from the opinions expressed in regard to it. It was one thing to have *ex officio* members appointed by the Lord Lieutenant of the county, and a totally different thing for the electors of the county to elect their own *ex officio* members of the Council.

Amendment, by leave, *withdrawn*.

MR. SEALE-HAYNE (Devon, Ashburton) said, that the object of the Amendment he had put upon the Paper was to endow County Councillors with the functions of Justices of the Peace, and he proposed it because he believed it would, at all events, afford a partial remedy for what was, at the present time, a very great grievance. The present system of appointing Justices of the Peace was unsatisfactory to those Gentlemen who had an honourable aspiration to attain such a position, and it was also unsatisfactory to the people at large. That dissatisfaction had frequently found expression at the meetings of the Trades Unions Congresses, and it had also found expression, from time to time, in the House of Commons. It was very desirable that all classes should have confidence in, and respect for, our Courts of Petty Sessions; and he held that in order to secure that, Justices of the Peace should be men of all classes. The present system of nomination and property qualification was a system by which class was set against class, because it inferred the idea that there was a class of rich men who were entitled to rule, and that there was a class of poor men whose fate it was to be ruled over. That, he maintained, was entirely inconsistent with our present democratic institutions. What was the result of appointing only men of property and nominees of the Crown to the magistracy? It was this, that offences against property were dealt with with a severity out of all proportion to the measure of justice which was meted out for offences against the person. Every day one observed in the newspapers reports of the extraordinary sentences which were given for trivial offences against property, and the attention of the House was frequently called to them. He had made a collection of these reports, and he believed they had been published in a pamphlet; they were certainly most striking. He tried to ascertain whether

there was any rhyme or reason for these sentences. He did not wish to enlarge upon them; but the calculation at which he had arrived was that the average cost of indulging in the luxury of kicking one's wife, and blackening her eye, or pouring hot water over her, or biting a piece out of a policeman, was about 10*s.*; whereas, on the other hand, the cost of stealing a pocket-handkerchief, or a cotton shirt, or any similar article, was a term of imprisonment, varying from two or three months to five years penal servitude; and should, by any accident, a labouring man be found in possession of a dirty rabbit net he had better be tried by a court martial at once than by a bench of rural magistrates. He knew that the objection which would be urged against his Amendment was that it would be a system of elected magistrates; but the system was nothing new in this country. Mayors of boroughs were elected at the present time; in Scotland the baillies were elected; moreover, coroners were elected officers, and were *ex-officio* magistrates, and there were places where the Aldermen and Portreeves were also elected, and also exercised the functions of magistrates. At the present time Magistrates were elected, not by the people, but elected by a small clique of wirepullers. Most hon. Members knew how these gentlemen were elected; the Party wirepullers of those who were in power at the time selected, generally from among themselves, some gentlemen whom they wished to endow with the dignity of magistrates, and they sent up the names of these gentlemen through what was termed the ordinary channels to the Lord Chancellor, and then the Lord Chancellor went through the farce of sending to the Town Council to know whether the gentlemen nominated were acceptable or not to them. If the Town Council happened to say that they objected to these gentlemen, and to suggest anybody else, then the Lord Chancellor said that they were going outside their province; and he, in fact, snubbed them. This sort of thing had taken place over and over again; it had taken place within recent times at Winchester, West Ham, Poole, Wrexham, Hanley, Bradford, and other places. And then, to wind up this comedy, some Gentleman generally got up in the House and asked a Question of the Home Secretary, and that right hon. Gentleman was content to use the *tu quoque* argument, that it had been done by hon. Gentlemen opposite, and he did not see why they should not do the same thing. If he (Mr. Seale-Hayne) were to endeavour to touch upon how magistrates were elected in the counties, he might perhaps be proceeding beyond his depth. A portion of the county magistracy might be regarded as hereditary. Some of the county magistrates had no claim to a seat on the Bench other than that their fathers had sat there before; others had acquired the dignity by purchase, as it frequently happened that if a gentleman came into the county, and bought a large estate, he was straightway put on the Bench, irrespective of any personal qualification. Other gentlemen got on the Bench simply because they happened to be of the same political complexion as the Lord Lieutenant; they merely took the position because it gave them a certain amount of social position, and got them into the charmed circle of county society. Now, he could not believe that this was a satisfactory way of appointing gentlemen to exercise the important functions of Justices of the Peace. Then, let him say a word in regard to the general objection that those who exercised judicial functions should not be elected. He was perfectly ready to admit that it would be a great evil if the Judges of the land were elected, because they had to deal with large pecuniary interests, and because it was necessary they should have great legal learning and experience.

Mr. RADCLIFFE COOKE (Newington, W.) rose to Order, and asked the Chairman whether the hon. Gentleman was in Order in discussing the present method of appointing magistrates?

The CHAIRMAN said, that inasmuch as there was a provision in the clause respecting the Chairmen of County Councils, he was not prepared to say that it was not permissible to discuss the proposition that members of County Councils should also be *ex-officio* Justices. But the hon. Member was certainly supporting his proposition with arguments a long way beyond the necessity of the case.

Mr. SEALE-HAYNE said, he bowed to the Chairman's decision. He had been merely enlarging upon the question of the existing evils, and he had started

by saying that he advocated his Amendment because it afforded a partial remedy, as he believed, for those evils. Now, Judges were in a different position also to Justices of the Peace, because they had, on matters of fact, a jury to assist them. Justices of the Peace, on the other hand, had to be both Judge and jury in their own Courts. He held, therefore, that the two cases were entirely different, and that the same arguments did not apply to them. The objection might be urged that these elections might degenerate into a Party fight. Well, he had no doubt that that might be so in some instances, but he did not think it would be of such frequent occurrence as hon. Members in the course of this debate had assumed. His answer to that was this. Were not nominations at the present time—especially of borough magistrates—entirely political, and if there was to be a political fight over the appointment of Magistrates, was it not better that that fight should be carried on in open day, and not on the backstairs of the Lord Lieutenants and in the back parlours of the wirepullers in the boroughs? He believed that in these elections of the County Councillors, if they were endowed with the dignity of Justice of the Peace, it would bring out far better men. It might be said—"What evidence have you that the elected magistrates will be as good as those who sit on the Bench at the present time?" Well, his answer was that no evidence was required. His position was this—that if the decisions of the elected Magistrates were bad, at the end of six years the ratepayers would be able to get rid of them, and that, under the existing system, if the decisions of nominated Magistrates were bad, there was no means of getting rid of them. The people were saddled with them for all time. He (Mr. Seale-Hayne) felt convinced, speaking on this subject with some knowledge as a county and borough magistrate, that if the Government would confer upon elected Councillors the dignity of justice of the peace, not only would better men come forward as candidates, but they would do much to strengthen the hands of the law by giving more confidence to the people in the impartiality of our Petty Sessional Courts. He begged to move the Amendment standing in his name.

Amendment proposed,

In page 2, after line 5, to insert—"(e) They shall, by virtue of their office, be justices of the peace for the county."—(*Mr. Seale-Hayne.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, the Chairman had stated that in his opinion both the Amendment and the speech in which the hon. Member had put it before the Committee came very near being outside the Bill, and certainly, under the circumstances, he (Mr. Ritchie) should not inflict any lengthened remarks upon the Committee with reference to this question, which, to his mind, was altogether outside the four corners of the Bill. He would appeal to hon. Gentlemen opposite, whom he believed were desirous of passing this measure, or a measure of the kind, to limit somewhat their observations and their Amendments to what might fairly be considered to come within the scope of the provisions of the Bill; because it was evident, if they were to discuss on the Bill such fundamental changes as those sought to be introduced by the hon. Member, there would scarcely be any limit to the period of time necessary to spend on the measure. He need hardly say that the Government could not assent to the proposal of the hon. Gentleman. He regarded it as not only a thing bad in itself, but, as he had said, outside the provisions of the Bill altogether. The Chairman had told them that there was a provision in the measure which gave colour to the Amendment—the provision that the Chairman of the County Council should be a Justice of the Peace—but in that the Government had followed strictly the analogy of the Municipal Corporations Act. The Chairman of a Town Council in that case, that was to say, the Mayor of a town, was a Justice of the Peace. That was the analogy the Government had followed; but to propose that County Councillors should also be Justices of the Peace was a suggestion altogether outside the analogy to the provisions of the Municipal Corporations Act. He would appeal to the Committee to be good enough not to spend any lengthened time in discussing the matter, which was clearly beyond the scope of the measure.

SIR WILLIAM HARCOURT: I hope the hon. Gentleman will not think it necessary to press this Amendment to

a Division, although I am bound to say I think he is perfectly justified in placing it before the Committee. I am very willing to take this opportunity of saying that, whether in this form or in some other form, it is absolutely necessary that a change should be made in this matter as affecting both boroughs and counties. The present system is simply a scandal. Magistrates in boroughs, and still more so in counties, are appointed without the smallest reference to their fitness for their judicial duties. They are appointed simply out of political considerations——

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I rise to Order, Sir. I wish to know whether the right hon. Gentleman is in Order in the observations he is making?

[No reply.]

SIR WILLIAM HARCOURT: The system is perfectly indefensible. I dare say the noble Lord and his Friends do not like to hear these things; but, if he will allow me to say so, that is exactly why I state them. In my opinion, it is clear that a reform must come. It will come, I believe, through the County Councils. I would not recommend my hon. Friend to press his Amendment on this occasion, because I feel quite certain that when these County Councils are formed, they will ultimately demand that they should have a voice, and a potent voice, in the appointment of the Magistracy. It is quite impossible where a power like this Council Council is established, which is to be representative of the public opinion of the county, that they will any longer tolerate the administration of Justice in counties being dependent on the nomination of the Lord Lieutenant. That power has been, and is at this time, so grossly abused that it must be reformed. [*A laugh.*] The hon. Member who laughs I dare say is himself a magistrate appointed by a Lord Lieutenant. Doubtless for that reason he has a very high opinion of the nominations. But I have observed this matter, and I have some means of knowing about these appointments, and the manner in which justice is administered under them, and I would, therefore, ask my hon. Friend to rest content with the certainty that in the future, when this power which we have been frankly told is to be a democratic power, is established under this Bill, one of the effects, which I hope will be beneficial effects, will be a complete revolution in the system of appointing magistrates both in counties and boroughs. Under the circumstances, I would ask my hon. Friend not to press his Amendment to a Division.

MR. A. J. WILLIAMS (Glamorganshire, S.) said, that considering the observations of the right hon. Gentleman who had just sat down, he could not refrain from expressing his entire approval of the spirit of the Amendment before the Committee. He (Mr. Williams) had ventured himself to put upon the Notice Paper an Amendment which would have involved the principle which the right hon. Gentleman (Sir William Harcourt), with a truly prophetic spirit, declared would be adopted as soon as they got these County Councils into working order. He had put upon the Paper an Amendment in the spirit of the clause in the Act of 1835, which proposed to give —and he was sure they would soon have it—the power to nominate justices for the county to direct representatives of the people. He ventured to rise on this occasion because there was no part of the United Kingdom in which this scandal was more disgraceful than in the Principality of Wales. He had taken some pains of late to find out what was the composition of the Bench in the various counties of Wales. He need not say that there was only one class there. He looked in vain amongst the magistracy in some counties for members of the Nonconformist Body, and he looked in vain for members of the trading classes. He should have liked to have seen some chance of pressing this Amendment to a successful issue—he honestly confessed he should have liked to take part in such an attempt. What would be the state of things under this Bill in his division if this Amendment were passed? Why, in the division for which he was a Member, and in which he was a justice, he would, at all events, have the satisfaction of finding one or two farmers, certainly one or two tradesmen, sitting by his side on the bench. He was not at all sure that they were wise even at this stage in refraining from pressing the Amendment to a Division.

MR. W. A. M'ARTHUR (Cornwall, Mid, St. Austell) said, he desired to say a

word to the Committee, not for the purpose of delaying the discussion on the Bill, but merely to state that he sympathized to a great extent with what had fallen from the hon. Gentleman behind him (Mr. Seale-Hayne), and that he agreed that the present method of appointing magistrates was a crying scandal; but he should, however, feel himself bound most strongly to oppose the Amendment, if the hon. Member sought to force it to a Division. He could not imagine anything that would be more likely to have a disastrous effect upon the respect of the English people for law than the proposal to submit those who were to administer the law from time to time to the turmoil of contested elections. He should very strongly support, and he hoped very shortly to have an opportunity of supporting an Amendment which was to be moved by the hon. Member for the Camborne Division of Cornwall (Mr. Conybeare), which would give the County Councils about to be appointed the power of nominating the magistrates, or, at any rate, of recommending magistrates for nomination; but he should feel it impossible to support the proposal that magistrates should be appointed by popular election.

SIR ALBERT ROLLIT (Islington, S.) said, he was glad the Government had determined not to assent to the proposal before the Committee, because he would point out that, if they had done so, they would have given a preference to the County Councils over the Town Councils, which would have been most invidious. For the Amendment did not contemplate giving to Town Councils the appointment of justices, which it would accord to members of County Councils. He would also point out that the principle laid down by the right hon. Gentleman the President of the Local Government Board was a good one—namely, that as a general rule, they should endeavour to follow the main lines of the Municipal Corporations Act. He thought on that ground, therefore, the attitude the right hon. Gentleman had taken up was eminently satisfactory. He was glad to hear the protest of the hon. Member for St. Austell (Mr. W. A. M'Arthur) that in this country the people were determined to adhere to the principle that our Judges and Justices of the Peace should not be elected. The hon. Member had spoken of his experience of one part of the world, and he (Sir Albert Rollit) had had experience of another. No one could become aware of what took place in those countries where elective Judges existed, without a lively knowledge of the fact that not unfrequently people went into politics to get a Judge made in order that he might afterwards decide a certain case. Such a principle as that was not one which this country was likely to yield a ready assent to. It was pointed out that this principle of making an elected Councillor a magistrate was carried out in the case of the chairman of a Town Council—that was to say the mayor of a borough. He ventured to think on that matter, that if there was one point on which the Mayors of boroughs had been less successful than another, it had been in regard to the performance of their judicial duties. He had heard of one Mayor who, at the very commencement of his term of office, declared that during the period he sat on the bench, it should be his constant endeavour neither to be partial nor impartial. He (Sir Albert Rollit) did not know whether that effort succeeded or not, but that was his extraordinary declaration, and he (Sir Albert Rollit) did not think it would be difficult to find other illustrations of the peculiar fitness—or unfitness—of elected gentlemen to perform the delicate functions of the magistracy. The borough magistrates were, it was true, appointed in a manner to which some exception might occasionally be taken. On that point, at some other time—though he knew in saying this, he should lay himself open to the retort on the part of the hon. Gentleman opposite (Sir William Harcourt), that some of them on that (the Ministerial) side of the House were always prepared to do something or other, but never made an effort to begin—something no doubt should be done, as there was room for considerable improvement. But he would remind the Committee that even now improvement was taking place in the shape of the appointment of the Stipendiary Magistrates, though that system only existed in the boroughs, and had not been extended to the counties.

MR. RITCHIE desired to appeal to the hon. Member (Mr. Seale-Hayne) as the right hon. Gentleman the Member for Derby had appealed to him, not

to push this Amendment to a Division. It seemed to be the general wish of the Committee that the Amendment should be withdrawn, and he would therefore appeal to hon. Members, either to permit that course to be adopted, or to go to a Division at once, so that they might get to the consideration of questions which were of very great importance.

MR. ILLINGWORTH (Bradford, W.) said, that although the hon. Member for the St. Austell Division (Mr. W. A. M'Arthur) might not move his Amendment, he trusted that the suggestion of the hon. Member would not fall still-born, but that there would be an opportunity given to the Committee for considering this question again before the Committee stage was disposed of. It seemed to him (Mr. Illingworth) that the right hon. Gentleman the President of the Local Government Board should rather receive with favour than otherwise the proposal to entrust new duties to this grand creation of his, the County Councils, because by the announcement he had already made, he would be depriving them of such a large amount of work that they would really have very little to do. From a very wide experience in the North of England, he (Mr. Illingworth) could say that there was no scandal in connection with justice in this country so great as that with reference to the appointment of the magistracy in our boroughs and counties. In his own neighbourhood, magistrates had been put on the bench at the age of 21, merely because they happened to be the sons of prominent members of the dominant class, while leaving men on the other side in politics to be passed over. He spoke on this matter disinterestedly, and, therefore, he claimed some weight for his opinion, because he was neither a magistrate for a borough nor a county. It seemed to him that the work of the administration of justice in the country would be greatly improved, and that a much better feeling would be created throughout the towns and boroughs with regard to Courts of summary jurisdiction, if the Amendment proposed were adopted.

MR. WARMINGTON (Monmouthshire, W.) said, that before this Amendment was withdrawn, as the right hon. Gentleman the President of the Local Government Board wished to press the analogy of the Municipal Corporations Act, he should like to know whether the County Councils were going to be consulted with regard to the appointment of magistrates in the same way as the councillors or corporations were consulted with regard to the appointment of borough magistrates? And before the Amendment was withdrawn, allow him to say this—He did not think that there was any matter which people in the counties regarded as more important than that of the local administration of justice. There was no matter in regard to which people in the counties felt that a greater scandal existed. There was no doubt that there were many counties in England and in the Principality of Wales in which the people were entirely without a representative of their way of thinking upon the magisterial bench. If the right hon. Gentleman the President of the Local Government Board would say that the appointment of Justices of the Peace for the counties would henceforth be dealt with on the same lines as the appointment of the magistrates in boroughs, he thought that the right hon. Gentleman might then gracefully ask the hon. Gentleman (Mr. Seale-Hayne) to withdraw his Amendment; but until they had some such guarantee as that, they certainly had a right to complain of the present system and to endeavour in this Bill to bring about a more satisfactory state of things.

MR. CREMER (Shoreditch, Haggerston) said, he desired to say that after the expression of opinion they had heard from the right hon. Gentleman the Member for Derby (Sir William Harcourt), he hoped that the Amendment would not be pressed to a Division. He trusted, however, that they would have some guarantee from the Government other than that to which allusion had been made by the hon. Gentleman who had just sat down. What he (Mr. Cremer) hoped Members on that (the Opposition) side of the House would contend for, and if necessary divide the House upon, was that power should be given to County Councils not merely to nominate, but to elect the magistrates. He thought nothing short of that would satisfy the people out of doors.

MR. CONYBEARE (Cornwall, Camborne) said, that as his name had been mentioned in the course of this discus-

sion, he desired to be allowed to say just one word. He was entirely in favour of the Amendment, and he thought the hon. Gentleman who submitted that Justices of the Peace should be elected was entirely right in his contention. He, however, was perfectly well aware—especially after the recommendation which had come from the right hon. Gentleman the Member for Derby—that it would be perhaps better tactics on their part not to press the Amendment to a Division at the present moment. The hon. Member for the St. Austell Division (Mr. W. A. M'Arthur) had done him (Mr. Conybeare) the honour to refer to an Amendment which he had on the Paper, No. 126, which was as follows:—In Clause 2, p. 2, at end, to add—

"(6) From and after the passing of this Act every Justice of the Peace should be appointed by the Lord Lieutenant of the County upon the recommendation of the County Council, and every parish should be entitled to nominate, and through the elected representatives on the County Council, to demand, the appointment of one or more of such persons as they may deem fit to act as resident Justices of the Peace for the said parishes. And the selected councillors should in every case be taken from among the local Justices of the Peace so nominated and appointed as aforesaid."

He certainly concurred with the hon. Member in charge of the Amendment in his withdrawal of it, on the understanding, however, that it should not be summarily dismissed, or shut out by the Government from being again considered on his (Mr. Conybeare's) Amendment. He was not going to discuss that Amendment now, and he only wished to say in regard to the statement of the hon. Member for St. Austell that he did not concur in the sentiments he expressed as to its being a bad thing to elect people as Justices or "injustices" of the Peace. At any rate, the electing of magistrates could not place things in a worse condition than they were at present, because nothing could be more disgraceful and scandalous than the manner in which these functionaries were appointed at present.

VISCOUNT CRANBORNE said, that before the discussion closed, it ought to be made clear that he and his Friends did not share in the grave attack made by the right hon. Gentleman the Member for Derby as to the administration of justice by the county magistrates. The right hon. Gentleman for a long time had held the Office of Home Secretary, and was largely responsible for the appointment of many of the magistrates whom he attacked. Neither the right hon. Gentleman nor the Government to which he belonged had ever proposed to make any change in the mode of appointment of those gentlemen when in Office, but now in these later days apparently the right hon. Gentleman had become so accustomed to make attacks on the administration of justice in the Sister Island that he could not keep his fingers off the magistrates of this country. It was not, however, for him (Viscount Cranborne) to reprove the right hon. Gentleman, but he really thought that, considering the high office the right hon. Gentleman had held, he ought to think twice before, in the course of a debate like this, he levelled an attack upon the whole administration of justice throughout the country districts of England in the way he had done. Let it be clearly understood—and in saying that he was quite sure he spoke for all hon. Gentlemen on that (the Ministerial) side of the House—that they did not share the views of the right hon. Gentleman the Member for Derby, but entirely and absolutely repudiated them.

SIR WILLIAM HARCOURT: Perhaps it may relieve the anxiety of the noble Lord to inform him that I neither intended to, nor did I make an attack upon the administration of justice, though I attacked most strongly the method in which the county magistrates are appointed.

VISCOUNT CRANBORNE: The right hon. Gentleman will pardon me—[*Cries of* "Order!"]

SIR WILLIAM HARCOURT: I will state what I did say, or what I intended to say. I intended most strongly to attack the method in which the county magistrates are appointed.

VISCOUNT CRANBORNE: The right hon. Gentleman will pardon me. He not only attacked their appointment, but he spoke of many gross decisions they made.

SIR WILLIAM HARCOURT: I never said that, nor anything like it. I am quite certain that the noble Lord did not hear what I said.

MR. SEALE-HAYNE said, that in deference to the expression of opinion from that (the Opposition) side of the

House, and from the right hon. Gentleman the Member for Derby, by the leave of the Committee he would withdraw his Amendment. He hoped, however, that at the same time he might be permitted to say this. The right hon. Gentleman the President of the Local Government Board complained that the Amendment travelled outside the scope of the Bill, and he (Mr. Seale-Hayne) would remind the right hon. Gentleman that he had a Bill before the House at the present time dealing with this special question, and that, therefore, if he withdrew this Amendment, he was entitled to have some facilities given to him for going on with that measure.

Amendment, by leave, *withdrawn*.

SIR ROPER LETHBRIDGE (Kensington, N.) said, the next Amendment stood in his name, and was as follows:—in clause 2, page 2, after line 5, to insert, "Provided, that in the London County Council there shall be no selected councillors or aldermen." As he understood that it was considered that that Amendment could be more conveniently taken when the provisions dealing with London generally were discussed, he would, by the permission of the Committee, ask leave to postpone the Amendment until they came to Clause 36.

MR. FIRTH (Dundee) said, that on this matter, he hoped that before the hon. Gentleman postponed the Amendment, the Government would give an undertaking, or give the Committee to understand that the whole question as to London, so far as it was affected by the clause, would be left open. He (Mr. Firth) hoped that the right hon. Gentleman the President of the Local Government Board would on this question take the opinion of hon. Members interested in London. Could the right hon. Gentleman say that the whole question as to Aldermen, who were not wanted in London—they cherished the few they had, but did not want any more—would be left open?

THE CHAIRMAN (interrupting): The hon. Gentleman is not entitled to go into this matter.

MR. WARMINGTON said, he now begged leave to move the Amendment which stood in his name—that was to say—in page 2, line 5, at end, to insert—

"(e.) No person shall be capable of being elected as a member of more than one County Council."

This Amendment was in accordance with one which had been accepted by the Government, and moved by the hon. Member for one of the divisions of Somerset——

MR. FIRTH (interrupting) said, he wished as a matter of Order, to ask whether he was to understand from the Chairman that his Amendment was to be considered as withdrawn, because as yet he had said nothing about it.

THE CHAIRMAN said, that the Amendment was in the same category as that of the hon. Gentleman (Sir Roper Lethbridge), and would come more conveniently on Clause 38. He could not say, if the hon. and learned Member persisted with his Amendment, that it would not be in Order, but he would point out that in that case the subject could not be again gone into on the 38th clause.

MR. FIRTH said, he did not insist upon the discussion of his Amendment; but it seemed to him that as a matter of courtesy it should have been suggested to him either that he should move his Amendment, or that he would be out of Order in moving it, or that it would be more convenient for it to be postponed. In that case he would have withdrawn it, without a word.

SIR ALBERT ROLLIT said, he had an Amendment in the same terms upon Clause 36; but he understood the Chairman to say that the subject was to be raised on Clause 38.

THE CHAIRMAN: That was a mistake, I meant Clause 36.

MR. WARMINGTON said, the next Amendment stood in his name, and was as follows:—Clause 2, page 2, line 5, at the end, to insert—

"(e.) No person shall be capable of being elected as a member of more than one County Council."

This Amendment was placed on the Paper before some decisions at which the Committee had arrived, and after those decisions it seemed to him that it would be better to move the Amendment in this form:—

"(e.) No person shall be capable of being a member of more than one County Council."

He would move the Amendment in that

form. It had been now decided by the Committee that it was not necessary in order to qualify a person for a seat on a County Council that he should be a resident within the county. He might not be a resident within the county at all. If he had what was called the property qualification, he might be elected as a member of the Council. They knew perfectly well that there were many right hon. and hon. Gentlemen and others who had property and were rated in many counties, and he submitted that it would not be well for the good working of the Council itself that a member of one Council should also be a member of another. The County Council would be an important assembly, and each Council ought to have an important individual and separate influence, and it would detract from that power and influence of the Council if one of its members was a member of another Council. As those persons who were likely to be members of both would have considerable property, he ventured to suggest that it was desirable that each Council should be self-contained, and not number amongst its ranks those who were members of other Councils. It seemed to him that a Council would lose force if it possessed a member in common with another County Council, and that it would give to individuals an influence which they ought not to possess.

Amendment proposed,

"In page 2, after line 5, to insert the words, No person shall be capable of being a member of more than one County Council."— (*Mr. Warmington*).

Question proposed, "That those words be there inserted."

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG) (Wilts, Devizes) said, that some of the Amendments on the Paper seemed to show that fear of the people which hon. Members opposite declared the Government showed. Above all things that which could be and might well be entrusted to the electors was the choice of the men who, in their opinion, ought to be elected, and it should be left to them to decide whether they should elect as Members of their own Council gentlemen who were qualified, though they might be members of adjoining Councils. Those who were engaged in County Business knew very well that gentlemen living on the boundaries of two counties were most valuable members of Quarter Sessions. Such gentlemen were frequently of the greatest assistance in the administration of the affairs of the two counties. He submitted that that was a point which should be left to the Councils themselves. There was no reason to think that the work of the Councils would be imperfectly done through the clause remaining as it stood, or that any inconvenience would arise to the ratepayers. The Government, therefore, would be obliged to resist this Amendment.

MR. CONYBEARE said, he did not think it would be well to trouble the Committee with any remarks upon the Amendment in the present state of the House. It would be more pertinent, perhaps, to call the Chairman's attention to the fact that there were not 40 Members present.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. CREMER (Shoreditch, Haggerston) said, he presumed the present Amendment would meet with the same fate as other Amendments from that (the Opposition) side of the House. He thought the Government might, however, accept the Amendment, seeing that they had rejected the very reasonable proposal made just now as to the payment of the travelling expenses of the County Councillors. By the rejection of that proposal, the choice of the electors had been very much restricted, and the chances of persons possessed of property being elected on the County Councils had been greatly increased. They were entitled to ask that this clause should receive some consideration from the Government, seeing that they (the Government) had admitted the property qualification. It was quite possible that a Councillor under the circumstances, might be a candidate for one county under a property qualification, and might seek election upon another Council because he happened to be a resident in the county. It was a very wholesome and very wise and very useful proposal that was made by the hon. Member, and he sincerely hoped that the Government would give it their serious consideration.

[*Fifth Night.*]

Question put.

The Committee *divided*:—Ayes 122; Noes 173: Majority 51.—(Div. List, No. 150.)

MR. WOODALL (Hanley) said, he wished to propose the Amendment on the Paper, No. 70—that was to say, in page 2, after line 7, to insert—"(a) Every borough shall return at least one Councillor." He would appeal to the Government to constitute every municipal borough a separate electoral area, for the purpose of returning a Councillor. Within the last few hours they had been furnished with a proposal as to the number of Councillors the Government proposed should permanently form the County Council, and according to that, in the main, the suggestion he made in this Amendment was conceded. There were some exceptions, however, which would be made, and they would be in the case of small but ancient boroughs. He hoped that, inasmuch as this Paper which had been circulated was not considered the final decision of the Government, the appeal he now made would be favourably considered, and that a consequential Amendment a few lines further on would be also conceded. He begged to move the Amendment in his name.

Amendment proposed, in page 2, after line 7, to insert the words, "(a) Every borough shall return at least one councillor."—(*Mr. Woodall.*)

Question proposed, "That those words be there inserted."

MR. LONG said, he need hardly assure the Committee that the Government fully understood and appreciated the reasons which the hon. Member had adduced for proposing this Amendment—namely, that some of these boroughs were very ancient boroughs, and had for a very long time so successfully exercised their rights and privileges that they deserved separate representation. He might point out that the Amendment would not fall within the lines of the Bill. If it were adopted, the result would be that every town, which was a municipal borough, whether ancient or not, and no matter how small its population, would be entitled to have separate representation, whereas those large urban sanitary districts of great importance and with enormous populations, which did not happen to be boroughs, would be left to the Quarter Sessions. He had not the least doubt that the representation accorded to the boroughs would be fair and sufficient, but it had been thought by the Government that those of them which had not a sufficient population to entitle them to special representation should be left to the Quarter Sessions. He would remind the Committee that the subject was not a very important one, and did not necessarily involve a very large issue. There were only 30 boroughs in England and Wales which would be affected by the Amendment, and their populations varied very much, some of them falling as low as 900. When it was laid down that the representation on a County Council should only be one in 5,000, 6,000, 7,000, 8,000, or 10,000 it hardly seemed in accordance with the principles of the Bill that a borough having a population of only 900 or 1,000 should possess a representative. A place with a small population should not receive a privilege merely because it was ancient, whilst a new place with a large population was denied it. Those were the reasons why the Government could not accept the Amendment, and, in stating them, he had no wish to condemn the views of the hon. Gentleman who had brought forward the proposal, nor to say anything derogatory to the position of the small boroughs. The Government must adhere to the clause as it stood, and, if necessary, must divide the Committee against the Amendment.

MR. WOODALL said, he did not propose to press the Amendment to a Division, and, notwithstanding what had fallen from the hon. Member, who had just spoken, he still hoped that there would be some concession made—at any rate with regard to some of those boroughs which were not at present provided for. He urged that because the boroughs in question were important and useful for many purposes—for registration for instance, and for rating. They would continue to have separate existence, for it was not proposed to interfere with their rights to self-government and with the privileges they had enjoyed for centuries. He ventured most respectfully to urge that it would considerably improve the prospect of the successful working of the Bill, if the Government accepted his Amendment, and the

boroughs were allowed to be, so far as separate representation on the Councils was concerned, separate areas instead of being merged in large districts.

MR. HALLEY STEWART (Lincolnshire, Spalding) said, he should like to point out to the Mover of the Amendment and to the Government that there were a few populous places of the magnitude of boroughs, which had been allowed under Improvement Acts to constitute themselves into Town Commissions, which would come under the same category as the boroughs for whom the hon. Member (Mr. Woodall) spoke. If there had been any prospect of the hon. Member being successful in getting his Amendment adopted, he (Mr. Halley Stewart) would have asked the Government to enlarge the scope of it, so as to include the towns under the Government of the Town Commissioners.

MR. HOBHOUSE (Somerset, E.) said, he wished to point out that there were a considerable number of boroughs of under 2,000 population in counties where there were 400,000 or 500,000 inhabitants; and the result of carrying this Amendment would be, it seemed to him, either to increase unduly the number of Councillors, or to give over-representation to these small towns. The small limit which it was understood was to be fixed to the number of Councillors on a County Council could not be adhered to if the Amendment were adopted.

Amendment, by leave, *withdrawn.*

MR. T. E. ELLIS (Merionethshire) said, he desired to move the following Amendment:—In page 2, line 18, after "determine," insert—

"Provided that as far as possible the electoral division shall be a parish or township, or an aggregate of parishes or townships."

The Amendment, if carried, would give power to the managers of the Quarter Sessions to cut the counties into electoral divisions. He imagined that these electoral divisions would, in the future, play a considerable part in Local Government. He should like to call the attention of the Government also to the Amendment next but one on the Paper, which was in these terms—

"Provided, that, subject to any modifications approved of by the Local Government Board, an electoral division of a county shall consist of a parish, or a part of a parish, or an aggregation of entire parishes, or an urban sanitary district or part thereof, or an aggregation of entire urban sanitary districts."

He did not wish at all to re-open the question of the parish so far as the reform of the Vestry was concerned, the Committee having already decided that point; but he thought the Government, during the second reading debate, admitted that it would be well to make the electoral division units of the common wants and sympathies and conditions. Now, the difficulty of making the parish a unit was its inequality. In some parts it was very populous, in others it had only a few inhabitants; but he thought that if, by this Amendment, they gave an instruction to the magistrates, as far as possible, to keep to the boundaries of a parish, they would obtain not merely a system of grouping parishes by people who were very well acquainted with the circumstances of the county, but would lay the foundation of that great system so much desired, and gradually make the parish the electoral unit. To make the parish the electoral unit would be valuable when they came to deal with the question of valuation—of simplifying and consolidating the areas and authorities in the matter of valuation. He moved the Amendment which stood in his name in the strong hope that the Government would be able to accept it. If they would not accept it here, would they give an undertaking that they would agree to its introduction on a later clause?

THE CHAIRMAN said, this appeared to him to be a supplementary direction which would come in better on Clause 52.

MR. T. E. ELLIS said, he would move his Amendment merely to elicit some expression of opinion from the Government. It was important, he thought, that they should know definitely what were the principles on which the electoral divisions were to be fixed. It would have materially assisted the deliberations of the Committee if the right hon. Gentleman the President of the Local Government Board had been able to give them a Paper showing the number of Councillors it was proposed to have on these Councils when they commenced their proceedings.

MR. RITCHIE said, he must point out the inconvenience of discussing a question of this character upon what was really a very general clause.

Clause 52 was strictly connected with this question, and he was sure the hon. Gentleman would excuse the Government for not entering into a discussion now, which would, when that clause was reached, have to be gone over again. He thought, when the time came, that he should be able to show the hon. Member that this Amendment was not so much at variance with the provisions of the Bill as he supposed.

MR. RATHBONE (Carnarvonshire, Arfon) said, he thought it was rather a pity that the Government had not given them their views upon this subject, because, owing to the way in which the Bill was drawn, it would be difficult to discuss the question without having some notion of what the ideas of the Government were. In his opinion it would have been well if the Committee had had an announcement by the Government that this was a principle which they would keep in view, because he agreed that it would not be possible to make the parish the unit of any large district of administration, though they might be of consultation.

MR. T. E. ELLIS (Merionethshire) said, he was not willing to postpone his Amendment until they had from the Government a more clear statement of the position they intended to take up with regard to this question. That he thought was necessary to the understanding of the case. He thought, besides, they should have some intimation that the Government agreed to the principle of the Amendment.

MR. RITCHIE said, he must protest against the idea that it was desirable or convenient to press the Government for their opinion with regard to the clause which had not yet been reached.

Amendment, by leave, *withdrawn*.

MR. A. J. WILLIAMS said, the first decision of the area of the county was left to the determination of the Court of Quarter Sessions, and he could not help thinking that there ought to be some appeal against the decision of that body. He should have much preferred to have seen in the Bill a provision that an operation of this very important kind should have been performed by a Special Commission. He ventured to suggest to the Government that a great deal of time and trouble would be saved if the same experienced and able men were appointed at once to do this business throughout the country who had so admirably performed their work in 1885 in settling the Parliamentary Divisions at the small cost of only £4,000. He desired to speak with all respect of his brother magistrates; but he suggested that work of this kind, in which a certain amount of political feeling would be involved, was not such as it was right to leave to bodies of gentlemen who were, by general admission throughout the country, naturally not without a distinct political bias in one direction. He had had experience in reference to redistribution in his own county, and he was bound to say that he should look with great concern on the present redistribution if it were to be conducted in the same way. He strongly urged on the Government that some Amendment should be introduced for the purpose of leaving this matter to Special Commissioners; and if the Government did not see their way to this, he should be compelled to move an Amendment for the purpose. Having put the case shortly and plainly to the Government, he sincerely trusted that they would accept his Amendment.

Amendment proposed,

In page 2, line 22, at end, insert—"Provided always, that every decision of justices at quarter sessions as to the electoral divisions in the county shall be by order, notice of which shall be published once at least in every newspaper published in the county. Such order shall be submitted for confirmation to the Local Government Board. If within one month after publication of such notice as aforesaid not less than twenty county electors petition the Local Government Board to disallow the order, the Local Government Board shall cause to be held a local inquiry and determine whether such order shall be confirmed or modified."—(*Mr. A. J. Williams.*)

MR. LONG said, the hon. Gentleman had put before the Committee two proposals, one of which was embodied in the Amendment he had just moved, and the other was that the same course should be pursued in the present instance as was followed in the case of the Parliamentary Electoral Division—namely, that of appointing Special Commissioners. While acknowledging, as he did most freely, the very moderate and fair way in which the hon. Gentleman had stated his case, he would point out why the Government could not accept the Amendment. The first objection to it was that, in order to constitute these

electoral divisions, it would be necessary that three distinct stages should be gone through. It was the desire of the House and the Government that if this Bill passed, as they were confident it would during the present Session, it should come into operation early next year; but if the Amendment were agreed to, it would be impossible that the Bill should come into operation when it was hoped and expected to do, and, moreover, its operation would be postponed for another year. The Government could not, therefore, contemplate the admission of the Amendment proposed. The next proposal was that they should adopt the procedure in connection with the last Reform Bill, by appointing Commissioners to settle the divisions. He might, he believed, endorse the view expressed by the hon. Gentleman as to the work of the Commissioners, which he believed had been done in the best possible way; but he would point out that there was a great difference between the work which they performed and that which had to be done now in connection with this Bill. In the county which he had the honour to represent (Wiltshire), the Commissioners had to constitute only five Parliamentary Divisions, and with respect to them several meetings had to be held, at which objections were taken. But in order to bring the Act into operation in his county they would have to set up 50 or 60 electoral divisions for the purpose of County Council elections; and he suggested to the Committee that the appointment of Commissioners would so delay the Bill as to make it impossible for it to come into operation by the time which the Government desired. The hon. Gentleman also expressed a hope that there should be some appeal against the decision of the magistrates; but he pointed out that this was in the Bill as it stood; and the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) had stated that the provisions for the alteration and rectification of areas were as large and complete as they possibly could be. Not only were the powers for alteration and rectification of boroughs sufficient; but the hon. Member would find that the County Council was given sufficient power to enable it, if desirable, to make alterations which would constitute fair areas of election. For these reasons, the Government could not accept the Amendment of the hon. Gentleman or the alternative which he suggested.

MR. A. J. WILLIAMS said, he was aware of the power given to the County Councils. But when the work of constituting the areas was done the mischief was irretrievable. He was bound to say he had great distrust of the County Justices in this matter, and he felt the absolute necessity of taking some steps to prevent the consequences which he apprehended. He asked the right hon. Gentleman, at all events, to give the right of appeal to the Local Government Board. With regard to the time necessary for fixing the areas, he undertook to say that the work with regard to a district could be done in one day, and that of a whole county in two.

MR. RITCHIE said, he did not understand how the hon. Member could say that the mischief would be already done when the area was constituted by the Justices. The idea of the Government was to place in the hands of the County Councils full power over the area as far as it could possibly be done. It was essential that when a Bill of this character had passed, a long interval should not intervene before it came into operation, and they had not set up the machinery contemplated by the hon. Member, because it would undoubtedly take up a considerable amount of time; and he undertook to say further that if the Bill were not passed until the Session was well advanced, and if the plan were adopted, it could not come into operation in January as they proposed. The hon. Gentleman seemed to think that the practice of Quarter Sessions was inadequate to this matter. But that was not the case. There were distinct provisions in the Bill, in the way of precaution, with regard to the setting up of the electoral divisions; and it was not conceivable that gentlemen who would take so conspicuous a part in the new system would so neglect their duties, or discharge them in so partial a way, as to make the divisions which they constituted unfair to any part of the country, especially as they had clear instructions laid down as to the course they should pursue. Surely, therefore, they might be trusted to do what was right and fair in all the circumstances of the case. His hon. Friend the Secretary to the Local Government Board had pointed out that if there were any objections to

a scheme it was in the power of the County Council to consider not only the area, but the number of Councillors; and if an alteration was necessary in the county or borough boundaries they must come to Parliament for a Provisional Order. The County Councils would practically have the matter entirely in their own hands, and the Government, therefore, could not recognize that there was any real foundation for the supposition that the magistrates of Quarter Sessions would not do what was right in this matter, or that if they did wrong there was not ample power in the Bill for that wrong to be set right.

MR. F. S. STEVENSON (Suffolk, Eye) said, he wished to point out that Quarter Sessions were by no means in favour at the present time with regard to the principle on which they arranged the polling districts, and that great cause of complaint had arisen. What they wanted was some clear and distinct guarantee that there should be power of appeal, which could be enforced before it was too late, from the decision at which the Quarter Sessions arrived. The right hon. Gentleman said there was appeal to the County Council. But he said that this, in the great majority of cases, could only come into operation when it was too late, because where the Quarter Sessions decided unfairly a certain number of members of the County Council would have been elected on the basis of the electoral divisions, and then the work of the Council would be performed by means of the system of County Aldermen, and by a system of co-optation. Therefore, he said there should be some means of immediate appeal against the decision of Quarter Sessions.

MR. CONYBEARE (Cornwall, Camborne) said, he regretted that he was not in his place when his name was called in reference to Amendment No. 80, because it was the alternative Amendment to which his hon. Friend (Mr. A. J. Williams) had referred. As the Amendment did not meet with the approbation of the Government, he would suggest a compromise that might with advantage be placed before the Committee as another Amendment. However much hon. Gentlemen opposite might think that the people in the counties placed implicit confidence in Quarter Sessions in a matter of this kind, he would only say that their experience did not coincide with his own. There was the gravest distrust of that body in these matters. But they wished to make no charges against Quarter Sessions; they merely said there was a feeling that this important matter of redistribution ought not to be left in the hands of gentlemen who practically represented only one class, and in whose ultimate decision great numbers of the people, at any rate, had not that implicit reliance which was desirable. They desired to give a good start to the County Councils, to see them started with the confidence of all parties, and they were very far from admitting that this would be the case if these very important arrangements of boundaries was not effected in such a manner as would command the confidence of the whole of the people of the country. If delay were so necessary to be avoided, he did not think it would be difficult to adopt the suggestion that the magistrates should hold a special sessions for the purpose of this business of settling the electoral divisions, and that at such special sessions the ratepayers should be entitled to be represented, in order to place their views before the magistrates, before whom, under the present system, they were not represented. It would be remembered that in the case of the redistribution of seats the ratepayers were entitled to appear before the Commissioners, and express their views with respect to the boundaries. He accepted the explanation of the right hon. Gentleman that there would not be time for the Commissioners to be sent down to do this business, and also that it would cause too much delay if appeal were to lie to the Local Government Board; but he thought it would be found to be necessary for the magistrates to hold a special sessions for the purpose in view, because in the ordinary course of things no sessions could be held until rather late in the autumn at which this business could be dealt with. If it were desirable that such special sessions should be held, he thought it would be only fair that the ratepayers should be represented at them, in order that the authority might be in possession of their views.

MR. F. S. POWELL (Wigan) said, he thought that after an examination of Clause 52 the Committee would be of opinion that the discussion at this stage of the Bill was somewhat premature.

He should be out of Order if he were to refer in detail to the provisions of that clause; but hon. Members who would refer to it would find that instructions were given in that clause of a character which defined the nature of the boundaries. It seemed to him that in case the Committee, when they reached that clause, thought the instructions there given were too vague, or left in an unfair manner room for the attainment of Party objects, they could make the instructions more clear, definite, and precise. He could not shut out from his mind what took place on the passing of the last Reform Act. At that time the creation of the new polling districts was left by the Liberal Government in the hands of the magistrates. He had the honour of being a member of the Bench of the West Riding of Yorkshire, and, although on the Bench there was a majority of Conservatives, the greatest care was taken that on the different sub-committees, to whom the making of the alteration of the polling districts was delegated, each of the two Parties should be equally represented, and he was sure the greatest pains were taken by those who served on those committees that every elector should have the best opportunity of coming to the poll. So far as he knew, there had not been one complaint of injustice or unfairness in respect to the arrangement of the polling districts in that great Division, the West Riding of Yorkshire. He felt the force of the argument founded on the shortness of time which had been raised, and he believed it to be entirely fatal to the proposition. He knew that in the year after the passing of the last Reform Act it was only by the most severe pressure that the machinery was set going in time for the General Election; and, warned by that experience, he must respectfully suggest to the Committee the expediency of now constructing such machinery that there would be no difficulty or delay. Hon. Members opposite very often talked about economy; but it was impossible that the Inspectors of the Local Government Board could visit the country without being a new cause of expense. The summary of his remarks was that this discussion was premature, that it would be better to deal with the subject when they came to Clause 52, and would be called upon to consider what safeguards ought to be provided in favour of equal justice to all sections of the people.

MR. STANSFELD (Halifax) said, he did not want to dogmatize as to what might be the best method of accomplishing their desire; but he put it to the right hon. Gentleman the President of the Local Government Board whether it was not possible for him to reconsider his decision, and to find a way for them out of the difficulty? Now, he did not agree that the proposal in the Bill would be satisfactory; that was his first proposition. He expected that there would be a natural — whether just or unjust he would not say—but a natural dissatisfaction in the counties at the probable and actual decision of the magistrates. In boroughs the existing authority would have the settling of the polling districts; but in counties the County Councils could not have that, because they were not as yet formed. His argument was that it was not probable that the public, as a whole, would be entirely satisfied with the decisions of the Quarter Sessions; and that it was desirable that there should be an appeal against the decision of the Quarter Sessions, and he thought the right hon. Gentleman might find a way of giving such an appeal. The right hon. Gentleman had told them that it would be very difficult, if not impossible, to have the work done in time. He (Mr. Stansfeld) was not quite sure about that. The magistrates might be directed to set about the work at an early date, so that there would be time to hear any appeal. The right hon. Gentleman knew perfectly well that the officers of the Local Government Board were able men, and men who, upon the whole, the public trusted. It seemed to him that it was not advisable—he should think it was not necessary—if the right hon. Gentleman would give his attention to the subject, to expect and call upon the public to be satisfied with the decision without any appeal. He confined himself now to suggesting to the right hon. Gentleman whether he could not give them some hope that they might devise a plan which would give an appeal. He could not think that that was impossible. Of course, it was most likely that the number of appeals would be very limited.

MR. RITCHIE said, he was very much afraid that if the right hon. Gentleman,

whose experience was infinitely greater than anything he could lay claim to, had been unable to suggest what the nature of the change which was desired should be, he could not hold out very much hope that he would be able to devise a method by which the desires of hon. Gentlemen would be satisfied. He could not but think that Quarter Sessions could be trusted, even by those who had some mistrust of them, especially in view of the provisions of Clause 52 to do something which was not, at any rate, conspicuously unfair. He could not imagine that the scheme of the Quarter Sessions would be of such a nature that the County Council, when constituted, would not be a fitting judge of it. The whole basis of the Government proposal was that the County Council should be the judge; that they should be able to put right that which was wrong. He was afraid he could not invent a method which would be more satisfactory than that they proposed. The right hon. Gentleman had suggested that the Quarter Sessions should be pressed to take action early. But they could not commence the work until the Bill was passed, and the right hon. Gentleman knew that between August and September and the election in November there was very little time in which to arrange the polling districts. He was afraid he could not hope to propose a better plan than that, first of all, those gentlemen who were accustomed to county work should, under the directions of the Bill, set out the electoral divisions, and that afterwards the County Councils should have full power to reconsider the electoral divisions so as to amend them if necessary.

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe) said, he thought the President of the Local Government Board had not correctly understood the right hon. Gentleman the Member for Halifax (Mr. Stansfeld). His right hon. Friend did not at all object to the County Councils having, eventually, to deal with this matter. So far, they were perfectly satisfied with the proposals in the Bill. But what they wished to urge upon the right hon. Gentleman in charge of the Bill was that it could not be expected that the public would be entirely satisfied with the Quarter Sessions as the authority for settling the boundaries, unless an appeal was given. What they asked for was a very simple thing. He quite admitted there were very clear directions laid down in Clause 52; that they would bind the Quarter Sessions to a considerable extent; and that Quarter Sessions would have to keep within those directions in the consideration of the electoral districts. But there would be very much greater confidence felt if there was a power of appeal. Probably, as Clause 52 set out so many directions, the appeal would only be exercised in a very few instances. The great safeguard would be in the power of appeal. With respect to boroughs, the right hon. Gentleman was able to give satisfaction to the Committee, because he had an authority already constituted; but if hon. Gentlemen looked at the last subsection of Clause 52, they would find, as regarded London, that the Local Government Board would constitute the authority for settling, in the first instance, the electoral divisions. Let him point out that in the Municipal Corporations Act, the guidance of which the right hon. Gentleman proposed in most respects to follow, it was provided that when a borough was established, or when the boundaries of wards had to be settled, a Commissioner nominated by the Home Secretary should be sent down to fix the boundaries. There might be difficulty in following that exact precedent in this case; but if the right hon. Gentleman followed that precedent, he (Sir Ughtred Kay-Shuttleworth) and his hon. Friends would be perfectly satisfied. They did not object at all as to the future; what they complained of were the arrangements for the election of the first County Council. The President of the Local Government Board would save a good deal of time in the discussion of this particular part of the Bill if he would at once concede that which seemed a perfectly reasonable demand—namely, that in the settlement of the polling districts there should be a right of appeal from the Quarter Sessions to the Local Government Board.

MR. WHARTON said, he must protest against the idea that there should be any unfairness on the part of the Quarter Sessions. The Quarter Sessions had settled the polling districts for the County of Durham, and there had never been uttered one word of complaint. That Quarter Sessions were actuated

by Party motives in such matters was a suggestion he strongly repudiated.

MR. CHANNING (Northampton, E.) said, the right hon. Gentleman the President of the Local Government Board had rested his argument very largely on the directions given in Clause 52; but he (Mr. Channing) desired to remind the Committee that the directions in Clause 22, except as regards the boundaries of sanitary areas, were more arithmetical. The clause did not contain any directions to the Quarter Sessions of the same character as the directions given to the Commissioners who had to settle the electoral divisions under the Redistribution of Seats Act. One of the directions under that Act was that the Commissioners should arrange the districts so that they should include a population of one type and common general interests and character, whereas Clause 52 simply directed the Quarter Sessions to adopt, as far as possible, electoral districts equal in population. Practically the hands of the magistrates were left absolutely unfettered; they could draw the lines wherever they chose. The hon. and learned Gentleman the Member for the Ripon Division (Mr. Wharton) said he never heard the action of the Quarter Sessions challenged. In the county he (Mr. Channing) had the honour to represent he had heard too many complaints of the action of the Quarter Sessions with regard to the arrangements of the polling districts in 1885 to acquiesce in that statement. In placing this power in the hands of the Quarter Sessions, the Government were placing a temptation in the hands of gentlemen, who, individually and as a class, were specially interested, to arrange the polling districts so as to obtain a majority favourable to their views at the first County Council. [*Cries of* "No, no!"] He should be very glad to hear the arguments of hon. Gentlemen opposite to the contrary. He thought that either by granting the right of appeal, or by setting out in Clause 52 more definite directions, the Government would do much to secure confidence in the impartiality of the arrangement of the electoral districts.

MR. STOREY (Sunderland) said, he could not help thinking that the opinions of some of his hon. Friends on the Opposition Benches were very much exaggerated. He entirely agreed with his hon. and learned Friend (Mr. Wharton) as to the county of Durham. Durham was an intensely Radical county. It was a county, nevertheless, where a great majority of the magistrates were Conservatives—in fact, he did not know a place in England of which that was not true since the present Lord Chancellor came into power. But, notwithstanding this fact, the people of Durham had no reason to complain, and he did not believe they would have under the arrangement the Government now suggested. He was afraid when the last Reform Bill was under discussion that they would have some reason to complain; but after the experience they had had he was quite content. He knew it would be urged that their Commissioners were appointed. That was true. And it was said that now the arrangement of the polling districts rested with the Quarter Sessions. But what he particularly wanted to point out to the Liberals sitting near him was that the Quarter Sessions were closely bound up and regulated in the matter. The hon. Gentleman the Member for Wigan (Mr. F. S. Powell) referred to Clause 52. He could not think that the right hon. Gentleman who had spoken from the Front Opposition Bench had considered Clause 52 very carefully. He could not discuss the clause at this stage of the proceedings; but he might, perhaps, be allowed to state what were the regulations or conditions under which the Quarter Sessions must act. He found it was proposed that the first condition should be that the Quarter Sessions should arrange the divisions according to the population. More than that, he found that they must have regard to every present urban sanitary district and every rural sanitary district—that they must form their electoral divisions either by making one of these districts a division, if it were big enough, or by combining two or more if they were small, but it must not, and it should not, divide any one of these districts so as to jerrymander the constituency. Under these circumstances he said freely that there was no Quarter Sessions in the country he would not trust. He begged to suggest to his less Radical Friends that they should not get exaggerated fears on the point, but trust to Providence in the matter. Well, let him tell the Committee what happened in the County of Durham after the Reform Bill was passed. He did not—

a great many people did not—care what electoral divisions were made — they felt perfectly comfortable. They got eight divisions, and they felt perfectly sure that as long as the sun shone they would be able to send eight Radicals to Parliament. What happened? At the very first election two Liberal Unionists were returned. After that he came to the conclusion that it did not much matter what the Quarter Sessions or any body should arrange as to the polling districts. The opinions of a district were continually changing. There was nobody, not even the cleverest man amongst them, who would venture to foretell what would be the issue in the different counties. County matters would not be settled by considerations of Radicalism or Toryism. A great many other considerations would enter into the settlement. There would be plenty of opportunities of discussing all sorts of questions on this Bill, and, therefore, he suggested to his hon. Friends that this particular point might very safely be left to the Quarter Sessions.

MR. STANSFELD said, the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) had challenged him to devise a method by which it might be possible to do what they wished in the time which was permitted to them. In consequence of that challenge he would make a suggestion, and it was that Sub-section (c) should read in this way—

"In the rest of the county the electoral divisions shall be such as in the case of a borough returning more than one councillor the council of the borough, and in the rest of the county the quarter sessions for the county, with the approval of the Local Government Board, may determine."

All that would be necessary in that case would be that there should be a sufficient margin of time for the Local Government Board, using their own ample machinery, to revise, in the interests of the public, the determinations or the decisions of the Quarter Sessions of the various counties. He could not see that it would be impossible for the Local Government Board officials to perform their functions in the necessary time. He did not doubt the Quarter Sessions' impartiality, but he maintained that it was not advisable, under the circumstances, to put the Quarter Sessions in the position of having to act a judicial part which some persons might think they performed with partiality. It must be borne in mind that the Quarter Sessions were the body who were going to be disestablished and displaced by the new County Councils, and it was not likely they would be considered by the public necessarily impartial in a matter of this kind. Why not save them from any possible imputation in the matter, which they could easily do by the insertion of the words "with the approval of the Local Government Board?"

MR. RITCHIE said, the right hon. Gentleman knew well enough the multiplicity of duties which were at present placed on the shoulders of the Local Government Board; he knew perfectly well that the staff at the command of the Local Government Board was certainly not greater than was required to do the work. What the right hon. Gentleman proposed must mean either something or nothing. If it meant that, as a matter of course, the Local Government Board were to give their approval, it meant nothing. If it meant that they were to ascertain through their Inspectors, or by means of local inquiries, that the proposals for dividing the county into electoral districts were right and just as between one party and another, it meant more than the Local Government Board could possibly undertake. Therefore, he was very much afraid that the solution which the right hon. Gentleman proposed was one which would not get rid of the difficulty. The hon. Gentleman the Member for Sunderland (Mr. Storey) had paid valuable testimony to the services which had hitherto been rendered by the Justices, and to the confidence which might be placed in their proper performance of the duties cast upon them by this clause. He (Mr. Ritchie) could hardly think that anyone who had studied Clause 52 could have the smallest fear either that Quarter Sessions would not do their duty, or that the way in which they did it would render them open to the slightest suspicion.

SIR JOHN SWINBURNE (Staffordshire, Lichfield) said, the whole object of the Bill, as he understood it, was to take county government out of the hands of Quarter Sessions, and put it in the hands of the people. That was the broad democratic view Her Majesty's Government expressed, and yet one of their first

operations in Committee was to give to the Quarter Sessions the duty of arranging the electoral districts, and to provide that there should be no right of appeal. In the constituency which he had the honour to represent, the Quarter Sessions had arranged, in their wisdom, polling places which had given universal dissatisfaction. [*Cries of* "No, no!"] He was speaking of his own district. Hon. Gentlemen said "No, no!" but they knew nothing about the matter. He was sure he should be borne out by the right hon. Gentleman the Member for Wolverhampton (Mr. Henry H. Fowler), who did know something about the subject, when he said the arrangement of the polling districts was a most crying evil. His (Sir John Swinburne's) constituents had made representations upon the subject, but all to no purpose. What happened in 1885 would happen in this case. And yet Her Majesty's Government refused them the slightest appeal, even to the Local Government Board. He sincerely hoped the Government would reconsider their decision. He could not add anything to what had been said by hon. Members sitting around him, except that it was very illogical that when they were taking the government of counties out of the hands of the Quarter Sessions they should give power to Quarter Sessions and allow no appeal.

MR. WINTERBOTHAM (Gloucester, Cirencester) said, he would not stand more than a minute or two between the Committee and a Division. He only wished to say how cordially he agreed with the remarks made by the hon. Member for Sunderland (Mr. Storey). Gloucestershire Liberals could trust the Gloucestershire Quarter Sessions. The Quarter Sessions were not a body, in his county, who would do the shabby things suggested; and it would not pay them to do such things if they could do them. Even if a Quarter Sessions acted on Party lines, and put all the blue districts together and all the yellow districts together, they would fail to effect their object. He believed the Quarter Sessions could be trusted to do this work fairly. Personally, he would rather leave it to the Quarter Sessions than to the Local Government Board, which, of course, must be governed by the political Chiefs for the time being.

MR. H. T. DAVENPORT (Staffordshire, Leek) said, he merely rose in consequence of the observations of the hon. Baronet opposite (Sir John Swinburne). He had the honour to represent a Division of Staffordshire, and he had also the honour of being a member of the Quarter Sessions. He was a member of the committee appointed to arrange the polling districts throughout Staffordshire under the Redistribution of Seats Act, and he asserted most distinctly that if there had been any complaint in any part of the county as to the unsuitability of the electoral arrangements he should have heard of it. He had never heard of any sort of complaint. He, therefore, protested most emphatically against the imputation the hon. Baronet had cast upon the Quarter Sessions of which he was a member.

SIR JOHN SWINBURNE said, that in support of his original statement he had only to say that hundreds of men—miners—had at the last election to walk four miles in a pouring rain before they could record their votes.

Question put.

The Committee *divided*:—Ayes 178; Noes 256: Majority 78.—(Div. List, No. 151.)

MR. CONYBEARE said, he had to propose the addition of the words—

"Provided that quarter sessions shall meet for such purposes in special session, at which any ratepayer shall be entitled to be heard."

He assured the Committee he did not move this Amendment in any hostile sense. He was not desirous of making any charge against the magistrates, either in his own county or in other counties; but there was a feeling, certainly in Cornwall, that the ratepayers should have something to say in this important matter, and he thought it was only fair that they should have the right to represent their views at the Sessions at which the matter was to be settled. The President of the Local Government Board would not deny it would be necessary that a special session of the Quarter Sessions should be held for the purpose of fixing the boundaries; and all he (Mr. Conybeare) asked was that the ratepayers should be entitled to make their views known to the magistrates on this subject, just as they were entitled to be heard, and just as they were heard, by the Commission who fixed the electoral divisions under the Redistribution of Seats Act.

[*Fifth Night.*]

Amendment proposed,

In page 2, line 22, at end of sub-section, add—"Provided that quarter sessions shall meet for such purpose in special session at which any ratepayer shall be entitled to be heard."—(*Mr. Conybeare.*)

Question proposed, "That those words be there added."

MR. RITCHIE said, he thought the Quarter Sessions could be trusted to take right and proper steps for fulfilling the duty cast upon them under this clause without minute and special instructions such as the hon. Gentleman wished to give. Quarter Sessions had long been in the habit of exercising most important functions in their various counties, and everybody acknowledged that this Bill was not necessitated by any failure on their part to perform their duty adequately and well. To give the magistrates such minute instructions as that now proposed would be to cast an unnecessary slur upon them.

MR. CONYBEARE said, the right hon. Gentleman had misunderstood him. He did not propose any instruction whatever; he merely asked that the ratepayers, who were certainly concerned in the matter just as much as the Quarter Sessions, should be entitled to represent their views as to the different points which might arise in the discussion of what was evidently in some respects a delicate matter.

Question put, and *negatived.*

SIR JOHN LUBBOCK (London University) said, he desired to propose an Amendment adapting the single transferable vote to the case of single-member elections, where no candidate received a clear majority of the votes given. In almost every country where the single-member system was in operation, it had been found necessary to adopt a system of second ballot. At a recent German General Election there were second elections in some 25 per cent. of the constituencies. In our rural elections it was likely that in many cases more than two candidates would stand. The plan proposed would obviate the expense of a second election by practically taking the two together. Suppose, for instance, three candidates were standing. The elector would be allowed to indicate the order of his preference by marking the candidates respectively 1 and 2. Suppose that out of 1,000 electors 400 voted for A, 350 for B, and 250 for C. Then C would be declared not elected, and his votes would be distributed between A and B, as indicated by the electors. In that manner they would secure that the representative returned was really the choice of a majority of the electors. His (Sir John Lubbock's) Friends with whom he acted regarded this as a matter of much importance, and hoped it would receive the attention of the Government. If, however, the right hon. Gentleman the President of the Local Government Board did not see his way to accept the suggestion, he (Sir John Lubbock) would not press it to a Division; but he hoped the Government would consider it before Report.

MR. RITCHIE said, he hoped the hon. Baronet would not press the Amendment. They had already had a discussion upon proportional representation, and this Amendment was somewhat akin to that subject. Of course, everything the hon. Baronet said merited consideration, but he (Mr. Ritchie) was afraid he could hold out but very faint hope of the Government adopting the present Amendment.

SIR JOHN LUBBOCK said, the right hon. Gentleman had evidently not considered the Amendment which had nothing whatever to do with proportional representation; its object was simply that no one should be elected who did not receive a majority of the votes. He would not, however, press the Amendment against the wish of the Government.

MR. SEALE-HAYNE said, the object of the Amendment he had now to propose was that the Chairman of the Council should always be one of the elected Councillors. It would be seen that if the Chairman was not one of the elected Councillors he might not be in accord with the majority of the time.

Amendment proposed, in page 2, line 30, insert—"(a) He shall be one of the elected councillors."—(*Mr. Seale-Hayne.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, that as the Committee had adopted the proposal in the Bill in reference to the aldermanic

element it would be casting a very unnecessary slur upon the Aldermen if they were to say that none of them should be the Chairman of the Council. It would be strictly unfair to say that a selected Councillor should not be able to rise to the highest position in the Council.

Question put.

The Committee *divided*:—Ayes 151; Noes 282: Majority 131.—(Div. List, No. 152.)

MR. HENEAGE (Great Grimsby) said, that when he put down the Amendment standing in his name on the Paper which would provide for enlarging the term of office of the Chairman of the County Council from three years to six, he had put another down dealing with the form in which the Council was to be elected; and as the Committee had rejected a similar Amendment moved by the hon. and gallant Baronet the Member for North-West Sussex (Sir Walter B. Barttelot), he did not think it would be advisable to enter into the question of the duration of the Chairman's term of office until they knew what the Government intended to do in regard to the decision arrived at on Monday night. He did not propose, therefore, to move his Amendment.

MR. CONYBEARE said, the next Amendment which was in his name was in principle directed to the same point as the Amendment which the right hon. Gentleman the Member for Great Grimsby (Mr. Heneage) had just declined to move. His (Mr. Conybeare's) proposal was that the Chairman of the County Council should hold office not for three years but for one year, and should be eligible for re-election. This proposal was a very simple one, and he thought they were entitled to ask the right hon. Gentleman the President of the Local Government Board, who was constantly quoting to them the Municipal Corporations Act, why he had not, in the case of the duration of the term of office of the Chairman of the County Council, followed the rule laid down in that Act with regard to the Chairman of a Municipal Council? The Chairmen of Borough Councils were elected for one year, and he had never heard that the system had worked badly. He had frequently heard of Mayors who had properly fulfilled their duties being re-elected. He could quote many cases in Cornwall where they had been re-elected after having satisfactorily gone through their first term of office. The right hon. Gentleman the President of the Local Government Board could have no good reason for departing from the model he had chosen to follow in the whole of this Bill. If he did not adopt the principle of this or some similar Amendment, it would appear that the right hon. Gentleman had some hidden motive for not adhering to the popular term which hon. Members on that (the Opposition) side of the House were disposed to advocate.

Amendment proposed, in page 2, line 31, to leave out the words "three years," and insert "one year, but he should be eligible for re-election."—(*Mr. Conybeare.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. RITCHIE said, he was much obliged to the hon. Gentleman opposite for asking the question he had done, as to why he (Mr. Ritchie) had not followed the precedent of the Municipal Corporations Act, and he trusted the explanation he would give would be satisfactory. He desired to explain that under the Municipal Corporations Act each electoral division had three members, and one of those retired each year. There was thus an infusion of one-third of the whole electoral body into the Council every year, which materially altered the constitution of the Council; and the reason why, under the Municipal Corporations Act, a Mayor retained office for only one year was to give an opportunity to the new members who had lately joined the Council to record their votes in the choice of a Chairman. As the hon. Member would see, the reason they had adopted the term of three years in the present Bill was that it had been so far decided by the Committee that the whole body of the Councillors should retire every three years. The analogy, so far as that point was concerned, between the present Bill and the Municipal Corporations Act was not complete.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, it seemed to him that the reason given by the right hon. Gentleman the President of the Local Go-

vernment Board for departing from the principle of the Municipal Corporations Act was a very unsatisfactory one. He desired to get a better reason from the right hon. Gentleman than that which he had given. The one-year system had been tried in England; but in Scotland, where they managed these things much better, they had adopted the three-years' system. That plan gave great satisfaction; it afforded greater stability to their Municipal Institutions; and under it they were not so much in the hands of Town Clerks and local officials. The Provost at the head of a Scotch Municipality was more independent than an English Mayor, who, being elected annually, fell more into the hands of the permanent officials.

SIR UGHTRED KAY-SHUTTLEWORTH said, he did not think the boroughs of England would be likely to favour the idea of departing from the time-honoured system of annually electing their Mayor, and he must express his astonishment that the right hon. Gentleman the President of the Local Government Board had not followed the precedent of the Municipal Corporations Act in the present Bill. He (Sir Ughtred Kay-Shuttleworth) desired to call attention to this point—that it was now the practice of that Body which governed our county affairs to elect its Chairman every year. The Annual Session of the County of Lancaster elected its Chairman every year. It was true that the Annual Session had chosen the same Chairman for many years, and if annual elections were adopted in the case of the Chairmen of County Councils no doubt the same practice would prevail. The right hon. Gentleman, in his reply just now, had assumed that the arrangement of the Bill would result in the County Councils remaining intact for three years, when there would be a change in them. He (Sir Ughtred Kay-Shuttleworth) thought, however, from what was proposed the other night by the right hon. Gentleman the First Lord of the Treasury, they were to understand that that subject was to be reconsidered by the Government. He thought some hope was held out that a third of the Council would have to be re-elected every two years. If that were so, it would point to the Chairman holding office for a less period than three years. He would ask the right hon. Gentleman to follow the precedent of the elections in connection with the Annual Session of Lancaster.

MR. RITCHIE said, he quite understood that his right hon. Friend the First Lord of the Treasury gave an undertaking that the Government would reconsider the term for which the County Councillors were to be elected; and, of course, if that point were reconsidered, and an alteration were made in that part of the Bill, he recognized that it was right and fitting that some proposal should also be made with reference to the term of office of the Chairman; but until the three years' term of office for Councillors was altered he thought it would be better to adhere to the proposal in the Bill.

MR. CONYBEARE said, he was willing to withdraw his Amendment for the moment on a distinct understanding being come to on this point. He quite understood what had been pointed out by the right hon. Baronet (Sir Ughtred Kay-Shuttleworth)—namely, that the right hon. Gentleman the First Lord of the Treasury had practically promised to reconsider the question as to the position of the County Aldermen, and had expressed himself in favour of the view that there should be Councils elected for a period of six years, a third retiring by rotation every two years. He mentioned that merely to point out to the right hon. Gentleman the President of the Local Government Board what appeared to him very clear—namely, that if they retained the provision for a three-years' term of office by the Chairman, it would not square with the proposal which the right hon. Gentleman the First Lord of the Treasury appeared to be prepared to recommend. He should like to ask whether the Government would place their final proposal before the Committee before they concluded Section 2, as he was not at all clear that it would be advisable to wait for the Report stage on the whole Bill, because, according to the right hon. Gentleman the President of the Local Government Board, it would be a long time before they arrived at that stage. If the Government would promise to bring up their proposals as to the Councils generally, which would involve the determination of the question of the Chairman's term of office, before the Question was put that Clause 2 stand

part of the Bill, he would not press his Amendment to a Division. However, unless the Government were prepared to give the Committee an opportunity of considering and settling this important point, he should feel it his duty, if he met with any support on that (the Opposition) side of the House, to take a Division.

THE FIRST LORD OF THE TREASURY) (Mr. W. H. SMITH) (Strand, Westminster) said, it would be in the recollection of the Committee that what he had undertaken was to reconsider the question referred to between the Committee stage and the Report stage of the Bill, and to make a statement to the House on Report. He could not undertake to do more than that.

MR. JAMES STUART (Shoreditch, Hoxton) said, he could not see that the Amendment proposed by the hon. Member for the Camborne Division of Cornwall (Mr. Conybeare) was at all bound up with the tenure of office of the elective Councillors. If a Council which was elected for three years had to elect its Chairman for one year, the same Council could re-elect a Chairman if it thought him a suitable man. It seemed to him that it would be a more sensible plan that they should have the Chairman elected for one year, and eligible for re-election if he desired it. They would have entirely new Councils brought together, and largely composed of new men unaccustomed to work together, and there would be a great difficulty in finding out who was the best man for Chairman when they met. It would be a pity that they should be saddled for any length of time with an unsuitable man; therefore, the term of office should not be a long one. Of course, as he had pointed out, if the Chairman elected for a year was found to be suitable, he could be re-elected as often as it was thought desirable. He hoped the hon. Gentleman the Member for the Camborne Division would persist in his Amendment and divide the Committee upon it, not only because the question of the length of the term of office of the Councillors was to be deferred for a long time—a fact which he was very sorry for—but also because he could not see that the two questions were in any way bound up with one another.

MR. STANSFELD said, he would put it to the right hon. Gentleman the First Lord of the Treasury whether it would not be more convenient to the Committee, and quite as convenient for the Government, if he made his statement when they came to Clause 36, which dealt with the application of the Act to the Metropolis as County of London?

MR. W. H. SMITH said, he certainly would endeavour to give the Committee the earliest information on the matter, but he only reminded the Committee of what was the understanding arrived at a few days ago, and he thought it always desirable that Parliamentary understandings should literally be adhered to.

MR. HALLEY STEWART said, the objection to frequent elections in the case of Councillors was that it would lead to great expense; but that objection could not apply to the election of a Chairman. He would put it to the Government that having established, in the first place, that the election of Councillors should not be frequent on the ground of expense, it was inconsequent to insist that the Committee had come to a conclusion on this point, which was an entirely different matter.

MR. FIRTH (Dundee) said, that the original proposal was that the life of the Council should be three years, and that that period should be the tenure of office of the Chairman, and he trusted the Government would not yield to pressure, but would stick to that.

SIR GEORGE CAMPBELL said, as there was some doubt as to the Scotch example, he desired to say that the Committee should consider that the County Councils were not only to be deliberative Bodies, but Bodies to replace the present deliberative Bodies of the counties. Well, it was impossible that they should have an efficient administrative functionary if they were continually chopping and changing. To have an efficient administrator at the head of their county they must have a man who had some chance of showing his administrative powers. He hoped the Government would very seriously consider this matter before they yielded to pressure.

MR. J. ROWLANDS (Finsbury, E.) said, he had some hesitation in addressing the Committee after the very modest speech they had just heard from the hon. Member for Kirkcaldy as to the value of the example he had placed

before them. The hon. Member did not seem to be aware of the fact that they had a custom in England, when a gentleman was elected to a responsible position, and gained the confidence of his fellows in that position, to re-elect him on the expiration of his term of office. But, by making the election an annual one, instead of having it every three years, it had given those on whom rested the duty of making the choice an opportunity of getting rid of a man who, instead of being capable of the discharge of the functions of his office, proved himself what was commonly called a bore. Annual elections enabled electors to get rid of persons they did not care for, and to try the experiment of putting other men in their places who might be more capable than those they succeeded. He thought this was one of those instances in which the Government had departed from their model—the Municipal Corporations Act—in a manner which they were not to be congratulated upon. It seemed to him that they were most unfortunate when they swerved from the principles of the Municipal Corporations Act, because such a departure was always in the direction pointed out by Conservative policy.

Mr. HENEAGE said, he hoped the Government would stick to the term in the Bill, and leave the whole question open to be decided when the Committee knew what the view of the Government was as to the term of office of the County Councillors.

Sir WALTER FOSTER (Derby, Ilkeston) said, that the Chairmanship of School Boards was a good example to justify the proposal of a three years' tenure of office by the Chairman of a County Council. But, supposing the term of office in the Bill for County Councillors was altered to six years, a third of them retiring every two years, he should strongly object to the Chairman being elected for six years. However, when they came to discuss the question as to whether the Councillors should be elected for three years or six years, they would be able to decide the question of the term of office of the Chairman with fuller information. If some understanding as to the course to be adopted was not come to by the Government he should not be able to vote with them.

Mr. RITCHIE said, that when the proposal in regard to County Councils came up, whether the proposal were adopted or not, that would be the time for the Committee to consider whether the three years' term of office in the case of Chairmen should remain or not. The Government were strongly in favour of the three years' term. They thought that good would be done by adopting the proposal as it stood in the Bill in giving stability. There would be greater stability given to a presiding officer by allowing him to hold office for three years than in making the term simply one year.

Mr. HANDEL COSSHAM (Bristol, E.) said, he wished to point out that Boards of Guardians and Local Boards of Health appointed their Chairman once a-year. He had the honour to be a member of a Local Board, whose deliberations were presided over by a Chairman who had held office for 16 years; but then he was re-elected annually. It seemed to him that it would be a greater honour to a Chairman to be elected annually than to be appointed for a number of years.

Mr. HALLEY STEWART said, that where they would only be able to get one man who would serve as as Chairman for three years they would be able to get 10 to serve for one year. The difficulty would be to get men of honour and ability, and with spare cash at their command, who would take the responsible position of a Chairman of a County Council, and he was confident the Committee would be limiting the choice of the Councillors by making the term of office three years.

Question put.

The Committee *divided*:—Ayes 260; Noes 178: Majority 82.—(Div. List, No. 153.)

Mr. HENEAGE said, he begged to propose Amendment No. 103, standing in his name, which was as follows:—In page 2, line 31, after "and," insert "he shall by virtue of his office be a justice of the peace for the county."

Mr. RITCHIE: Agreed, agreed!

Amendment proposed,

In page 2, line 31, after the word "and," insert the words "he shall by virtue of his office be a justice of the peace for the county."—(*Mr. Heneage.*)

Question, "That those words be there inserted," put, and *agreed to.*

MR. RITCHIE said, he begged to move the Amendment standing in the name of the hon. Member for West Bradford (Mr. Illingworth), to leave out the following paragraph:—"(c) He must be qualified to be a justice of the peace for the county; and."

Amendment proposed, in page 2, line 32, leave out paragraph (c).—(*Mr. Ritchie.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived.*

MR. CONYBEARE said, he begged to move Amendment No. 116 standing in his name.

MR. HENEAGE rose to Order. He desired to move to leave out paragraph (d.), which was as follows:—

"He shall, by virtue of his office, be a justice of the peace for the county, and if there is any liberty or borough in the county having a separate commission of the peace, for that liberty or borough also, and shall, unless disqualified to be chairman of the county council, continue to be such a justice during the year immediately after he ceases to hold his office."

Amendment proposed, in page 2, line 34, to leave out paragraph (d.)—(*Mr. Heneage.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. RITCHIE said, he had received representations from many boroughs which would render it desirable that these words should not be retained. He would, therefore, agree to the Amendment of the right hon. Gentleman.

MR. CONYBEARE said, he wished to know, as a matter of Order, whether it would be competent for him now to move his Amendment, No. 116, which had reference to the paragraph the right hon. Gentleman the Member for Great Grimsby (Mr. Heneage) proposed to leave out? The Chairman had called upon him just now to move his Amendment.

THE CHAIRMAN: If the paragraph is struck out, of course the hon. Member's Amendment will fall to the ground.

MR. CONYBEARE said, he had not the smallest objection to the omission of the paragraph; but he thought, as a matter of Order, that as the Chairman had called upon him he ought to have been permitted to make his statement upon the Amendment.

MR. RITCHIE said, the hon. Member's Amendment would be altogether unnecessary, as, by the omission of the sub-section, the object he had in view would be secured.

MR. CONYBEARE said, he thought there was some misunderstanding in the matter.

Question put, and *negatived.*

MR. CONYBEARE said, he now had to move Amendment No. 124—namely, at the end of Clause 2, to add—

"(e.) He shall be entitled to receive as salary during the term of his office such sum, not exceeding pounds per annum, as the council may determine."

He had left a blank for the amount of salary the Chairman would be paid supposing the Amendment were carried; but he certainly thought that the Chairman should receive a salary of some kind or other, as a great deal of work would be thrown upon his shoulders. He would, in all probability, be an *ex officio* member of all Standing Committees and most of the permanent Committees connected with the County Council, which would occupy a great deal of his time and impose upon him a large amount of labour; and, under the circumstances, it was very desirable that he should receive remuneration. He submitted the Amendment in the belief that it would be difficult to find men who would accept all the onerous duties of the office of Chairman unless there was something in the nature of emolument attached to that position.

THE CHAIRMAN asked how the hon. Gentleman proposed to fill up his blank?

MR. CONYBEARE said, he was not so well versed in the question of salaries to public officials as some hon. and right hon. Members opposite. He did not wish to make the remuneration equal to that attached to Cabinet rank in the Ministry; but if the omission in the Amendment interfered with its admissibility he would get rid of the blank by striking out the words "not exceeding pounds per annum," which would make the Amendment read "such sum as the council may determine." If this was not acceptable he would fill in the

blank with a nominal amount, say £300 a-year.

Amendment proposed,

In page 2, at end of the Clause to add the words:—(e.) "He shall be entitled to receive as salary during the term of his office such sum as the council may determine."— (*Mr. Conybeare.*)

Question, "That those words be there added," put, and *negatived.*

MR. CONYBEARE rose to move Amendment 126, as follows:—

In page 2, at end, to add—(6) "From and after the passing of this Act every justice of the peace shall be appointed by the Lord Lieutenant of the county upon the recommendation of the county council, and every parish shall be entitled to nominate, and, through the elected representatives on the county council, to demand the appointment of one or more of such persons as they may deem fit to act as resident justices of the peace for the said parishes. And the selected councillors shall in every case be taken from among the local justices of the peace so nominated and appointed as aforesaid."

It would, perhaps, be rather dangerous for him to remark upon this Amendment.

THE CHAIRMAN: The Amendment No. 126 is out of Order, and I therefore call upon the hon. Member to move Amendment No. 127.

MR. CONYBEARE said, that the next Amendment on the Paper, No. 127, was in his name, and he should certainly like to say something in explanation of the proposal contained in it, which he believed was a novel one. The Amendment was as follows:—In page 2, at end, add—

"(5.) As respects the standing committee of the councillors—

(a) The county council shall elect by ballot from among its own members a standing committee, for the purposes of superintending the administration of the county in the intervals of the sittings of the county council, and of regulating and controlling the county finance;

(b.) The term of office of a member of the standing committee shall be three years;

On the ordinary day of election of the member of the standing committee in every year, one-third of the whole number of the standing committee shall go out of office and their place shall be filled by election;

The third to go out shall be the members of the standing committee who have been longest in office;

(c.) If the county districts are less than in number, then so far as is possible one member at least of the standing committee shall be chosen from each county district, that is to say, he shall be either an elective councillor returned by or a selected councillor residing in an electoral division comprised in or comprising or consisting of the county district from which he shall be deemed to be chosen. If the county districts are or more than in number, then the county council shall from time to time combine the county districts or some of them into groups for the purposes of this section, and so far as is possible one member at least of the standing committee shall be chosen in the manner before mentioned from each of the county districts (if any) which have not been included in any such group of county districts, and one member at least of the standing committee shall be chosen from each of such groups of county districts as if each of such group of county districts were a single county district;

(d.) On a casual vacancy upon the standing committee arising, an election shall be held in the same manner as an election to fill an ordinary vacany, and the councillor elected shall continue to be a member of the standing committee until the councillor in whose place he is elected would regularly have ceased to be a member of the standing committee, and he shall then cease to be a member of the standing committee;

(e.) The chairman of the county council shall be ex officio a member of the standing committee during his term of office;

(f.) At every meeting of the standing committee the chairman of the county council, if present, shall be chairman. If the chairman of the county council is absent, then such member of the standing committee as the members of the standing committee then present shall choose shall be chairman;

(g.) The standing committee shall from time to time make standing orders for the regulation of their proceedings and business, and may from time to time vary or revoke the same; but any standing orders so made, and any decision of the standing committee for varying or revoking the same, shall be submitted to the county council for their approval;

(h.) There shall be paid to each member of the standing committee out of the county fund, as a general county purpose, a sum not exceeding one pound sterling per day during his attendance at the sittings of the committee."

Though there was a great deal to be said for it, he would prefer to let the question stand over till to-morrow, as the hour for adjournment had almost arrived. He would, therefore, move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Conybeare.*)

MR. RITCHIE said, he would make an appeal to the hon. Gentleman not to press the Motion, as it seemed to him (Mr. Ritchie) that if the hon. Member desired to take the decision of the Committee on the Amendment it would be much more convenient to do so at a later stage of the Bill. It was hardly germane to the present clause, and would be more appropriately dealt with when they arrived at that part referring to the instructions given to the County Council. He understood that the hon. Gentleman desired to enact that there should be Standing Committees, and that point could be fairly discussed at a subsequent stage. If the hon. Member would withdraw his Motion they would probably be able to get through Clause 2 that night.

MR. CONYBEARE said, he certainly could not explain what he desired to effect by this Amendment in the three minutes which was left to them before the hour at which the House, by the new Rules, must adjourn. He was not sure that they could not have discussed the principle contained in the Amendment before proceeding to other parts of the Bill, and it seemed to him that it would have been desirable to have the principle of this Amendment in their minds before discussing the question of the control of the police; but he would yield to the right hon. Gentleman's suggestion, asking him to be kind enough to state upon what clause his Amendment could best be discussed.

MR. RITCHIE: I think Clause 78 (Incorporation of County Council).

THE CHAIRMAN: Does the hon. Member withdraw his Motion?

MR. CONYBEARE said, he would withdraw the Motion on the Paper, and would move it on Clause 78.

THE CHAIRMAN: I mean the Motion for reporting Progress.

Motion, by leave, *withdrawn.*

MR. W. F. LAWRENCE (Liverpool, Abercromby) said, the Amendment standing in the name of his hon. Friend the Member for the Lonsdale Division of Lancashire (Mr. Ainslie) was an important one, and had been put down at the request of the Lancashire magistrates; but as it would not be possible to discuss it that night, perhaps the Government would undertake to consider it, with a view to its acceptance at a later stage. It was as follows:—In page 2, at end, add—

"As respects the vice-chairman of council, it shall be the duty of the chairman, as soon as may be after his election as chairman, to appoint a councillor to act as vice-chairman during the illness or absence of the chairman, and to fill any vacancy which may occur in the office of vice-chairman. A vice-chairman may, while acting as such, do all acts which the chairman as such might do, and shall be entitled to take the chair at any meeting of the council at which the chairman is not present."

SIR UGHTRED KAY-SHUTTLEWORTH said, that this was an important matter, in which a great number of people in Lancashire were interested. There seemed to be no power in the Bill, as it stood, to enable a County Council to appoint a Vice-Chairman, and perhaps the right hon. Gentleman would consider the desirability of creating such a power on Report.

MR. RITCHIE assented.

Clause, as amended, *agreed to.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

BAIL (SCOTLAND) BILL.—[BILL 286.]

(*The Lord Advocate, Mr. Solicitor General, Mr. Solicitor General for Scotland.*)

CONSIDERATION.

Order for Consideration, as amended, read.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, he did not now propose to ask the House to proceed with the Bill, but desired to make a short statement. Some of his hon. Friends in Committee suggested that it would be only right that when an appeal was allowed to the Public Prosecutor that some allowance should be made to meet the costs of prisoners defending themselves against such appeal. It was a matter not quite within the discretion of the Lord Advocate; but he had communicated with the Treasury, and they saw no objection to costs in such cases being allowed.

Consideration, as amended, *deferred* till *To-morrow.*

EMPLOYERS' LIABILITY FOR INJURIES TO WORKMEN BILL.—[BILL 145.]

(*Mr. Secretary Matthews, Mr. Attorney General Mr. Ritchie, Mr. Forwood.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That the Order for going into Committee on the said Bill be discharged, and that the Bill be referred to the Standing Committee on Law, &c."—(*Mr. Stuart-Wortley.*)

MR. W. ABRAHAM (Glamorgan, Rhondda) asked, was there any proposition for adding representatives of the working classes to the Committee in relation to the Bill?

MR. SPEAKER said, that was a matter for the Committee of Selection.

Question put, and *agreed to.*

CLERKS OF THE PEACE BILL.

(*Mr. Brunner, Mr. Tatton Egerton, Captain Cotton, Mr. Walter M'Laren.*)

[BILL 185.] COMMITTEE.

Order for Committee read.

MR. BRUNNER (Cheshire, Northwich) said, he desired to give the right hon. Gentleman the Secretary of State for the Home Department (Mr. Matthews) an opportunity of expressing his intention in regard to this Bill, and, to put himself in Order for the purpose, he would formally move that Mr. Speaker leave the Chair.

Motion made, and Question, "That Mr. Speaker do now leave the Chair," —(*Mr. Brunner,*)—put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Appointment of deputy clerk of the peace in case of incapacity, &c., of the clerk).

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.), said, he hoped the hon. Member did not propose to go through the clauses now. [Mr. BRUNNER: No.] He (Mr. Matthews) was not opposed to the principle of the Bill, and had, indeed, intended to bring in a larger measure to allow deputies to be appointed, not only for Clerks of the Peace, but Stipendiary Magistrates.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Brunner,*) —put, and *agreed to.*

Committee report Progress; to sit again upon *Thursday* next.

SUPREME COURT OF JUDICATURE (IRELAND) ACT (1877) AMENDMENT BILL.—[BILL 281.]

(*Mr. Chance, Mr. T. M. Healy, Mr. Maurice Healy.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin Unisity) said, the Government did not object to the second reading of this Bill, which was to remove a technical difficulty found to exist in the working of the Court of Appeal. It might be necessary to propose certain Amendments in Committee; but, so far as he was concerned, he saw no objection to the second reading.

MR. T. W. RUSSELL (Tyrone, S.) said, might he ask what the Bill was about? It was somewhat unusual to take a second reading without the slightest explanation.

MR. MADDEN said, it was rather for the promoters to state the object; but he might say, shortly, it was to enable the Court of Appeal in Ireland to enforce orders in certain cases by issuing writs. It was found in practice that where cases could not be remitted to the Court of First Instance to issue writs the case had to remain with the Court of Appeal, and the Bill was intended to supply the defect. So far as he had examined the Bill, it appeared to be a useful measure, introduced by the hon. Member for South Kilkenny (Mr. Chance). In matters of detail it might require Amendment, but he did not oppose the second reading.

MR. T. W. RUSSELL said, he had a great objection to all Bills introduced by lawyers for reforming the Supreme Court of Judicature in Ireland, though the Court needed reform. But if the object of the Bill was limited, as the hon. and learned Gentleman said and he approved, he (Mr. T. W. Russell) would not object.

MR. MADDEN said, the hon. Member would understand that he did not introduce the Bill, nor assented to the second reading.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

ENNISKILLEN, BUNDORAN, AND SLIGO RAILWAY BILL [REPAYMENT OF DEPOSIT].

Resolution [June 13] *reported.*

"That it is expedient to authorise the repayment of the sum of Three thousand two hundred and seventy-five pounds Three Pounds per Centum Consolidated Annuities, being the sum deposited in respect of the application to Parliament for 'The Enniskillen, Bundoran, and Sligo Railway (Donegal Extension) and Enniskillen and Bundoran Extension Railway (Abandonment) Act, 1879,' which in pursuance of section thirty-six of that Act is now forfeited, together with any interest or dividends thereon."

Resolution read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

Debate arising.

Debate *adjourned* till *To-morrow.*

BRISTOL PORT EXTENSION RAILWAYS [CANCELLATION OF BOND].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the release of the sum of Seventy-seven thousand and twelve pounds three shillings, the amount of the Bond, dated 29th July, 1864, entered into by the Bristol Port Extension Railway Company and Charles Waring (since deceased) and Henry Waring, under the provisions of Section 48 of "The Bristol Port Extension Railways Act, 1864," and that the Solicitor to the Lords Commissioners of Her Majesty's Treasury shall deliver up to Henry Waring and the Executors of the late Charles Waring, or either of them, the said Bond in order to the cancelling thereof.

Resolution to be reported *To-morrow.*

House adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Friday, 15*th June*, 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—National Debt (Supplemental) * (155).
Committee—Report—Augmentation of Benefices Act Amendment * (78).
Third Reading—Land Law (Ireland) Act, 1887, Amendment * (91); Rochester Bishopric * (98), and *passed.*
PROVISIONAL ORDER BILLS—*First Reading*—Gas and Water * (156); Water (No. 2) * (157).
Second Reading—Metropolitan Police * (134).
Committee—Report—Public Health (Scotland) (Denny and Dunipace Water) * (136).
Third Reading—Local Government (Poor Law) (No. 4) * (120); Local Government (Poor Law) (No. 5) * (121); Metropolitan Commons (Chislehurst and St. Paul's Cray) * (122), and *passed.*

THE AUSTRALIAN COLONIES—CHINESE IMMIGRANTS.

THE EARL OF CARNARVON asked the Secretary of State for the Colonies, Whether he could communicate to the House the telegram which was stated to have been received with regard to the resolutions adopted at the Australasian Conference recently held on the subject of Chinese immigration?

THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD), in reply, said he had received the following telegram, which, he thought, would sufficiently show that the hope he entertained that the matter would be fully and carefully discussed from all points of view had been fully justified.

"14th June.—At the Australasian Conference held in Sydney on the 12th, 13th, and 14th inst., at which the colonies of New South Wales, Victoria, South Australia, Queensland, Tasmania, and Western Australia were represented, the question of Chinese immigration and your cablegram to the Governor of South Australia in connection therewith were fully considered. The members of the Conference are sensible of the wish of Her Majesty's Government to meet the views of the colonies, and have specially deliberated upon the possibility of securing legislation which, while effective, should be of a character so far as possible in accordance with the feeling and views of the Chinese Government. They have not overlooked the political and commercial interests of the Empire nor the commercial interests of the colonies. In 1886 the total exports to China from New South Wales, Victoria, South Australia, Queensland, and Tasmania were valued at £16,000 out of a total export trade amounting to £38,700,000. Our imports from China in the same year were valued at £846,000. While the custom of the colonies, therefore, is very valuable to China, that country offers no present outlet of importance for Australasian trade. There has never been any attempt on the part of any of the colonies to close their markets to the imports of the Chinese Empire, although most, if not all, of them are now produced in great quantities in the British Empire of India. The suggestion that any restrictions which are to be imposed should be of a general nature, so as to give power to exclude European or American immigrants, has been very carefully deliberated upon, but no scheme for giving effect to it has been found practicable. As the length of time to be occupied in negotiations between the Imperial Government and the Government of China is uncertain, and as the colonies in the

meantime have reason to dread a large influx from China, the several Governments feel impelled to legislate immediately to protect their citizens against an invasion which is dreaded because of its results, not only upon the labour market, but upon the social and moral condition of the people. At the same time the Conference is most anxious that Her Majesty's Government should enter into communication with the Government of China, with a view to obtaining as soon as possible a treaty under which all Chinese except officials, travellers, merchants, students, and similar classes should be entirely excluded from the Australasian Colonies. By way of assisting to bring about such an understanding the Conference has recommended the abolition of the poll tax now levied upon Chinese immigrants. While believing that the local legislation now proposed will accomplish its object, the Colonies would prefer that the exclusion of the Chinese should be brought about by international agreement of a friendly nature, as in the case of the United States. The Conference further desires that Her Majesty's Government should induce the Governments of the Crown Colonies of Hong Kong, Straits Settlements, and Labuan to at once prohibit the emigration of all Chinese to the Australasian Colonies, unless they should belong to the classes above mentioned. The Chinese who may claim to be considered British subjects in those Colonies are very numerous, and the certainty that their migration hither was prevented would give great and general satisfaction. The resolutions arrived at by the Conference, and which have been embodied in a draft Bill, are as follows:—1. That, in the opinion of this Conference, the further restriction of Chinese immigration is essential to the welfare of the people of Australasia. 2. That this Conference is of opinion that the desired restriction can best be secured through the diplomatic action of the Imperial Government and by uniform Australasian legislation. 3. That this Conference resolves to consider a joint representation to the Imperial Government for the purpose of obtaining the desired diplomatic action. 4. That this Conference is of opinion that the desired Australasian legislation should contain the following provisions:—(1) That it shall apply to all Chinese with specified exceptions; (2) that the restriction should be by limitation of the number of Chinese which any vessel may bring into any Australian port to one passenger to every 500 tons of the ship's burden; (3) that the passage of Chinese from one Colony to another without consent of the Colony which they enter be made a misdemeanour. The first and fourth resolutions were indorsed by all the Colonies except Tasmania, who dissented, and Western Australia, who did not vote; while the second and third were carried unanimously. As a whole, therefore, they faithfully represent the opinion of the Parliaments and peoples of Australia. In conclusion, the Conference would call attention to the fact that the treatment of Chinese in the Australian Colonies has been invariably humane and considerate, and that in spite of the intensity of popular feeling during the recent sudden influx good order has been everywhere maintained. In so serious a crisis the Colonial Governments have felt called upon to take strong and decisive action to protect their peoples; but, in so doing, they have been studious of Imperial interests, of international obligations, and of their reputation as law-abiding communities. They now confidently rely upon the support and assistance of Her Majesty's Government in their endeavour to prevent their country from being overrun by an alien race, who are incapable of assimilation in the body politic, strangers to our civilization, out of sympathy with our aspirations, and unfitted for our free institutions, to which their presence in any number would be a source of constant danger."

THE EARL OF CARNARVON asked who had sent the telegram?

LORD KNUTSFORD said, it was sent by Lord Carrington by desire of the Conference.

HIS IMPERIAL MAJESTY THE LATE GERMAN EMPEROR.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, it is my melancholy duty to announce to this House what, no doubt, is already known to many of your Lordships—the death of the Emperor of Germany. I need not say how deeply we grieve for the loss of one so justly valued both here and in Germany. Our Queen has lost a beloved son-in-law, and Germany a most enlightened ruler. It will be your Lordships' desire to put on formal record the sympathy which you feel for the afflicted relatives, and for the nation that has lost so much. I therefore give Notice, according to precedent, that I shall move an Address to Her Majesty the Queen and an Address to Her Imperial Majesty the Empress of Germany, on Monday next.

THE EARL OF KIMBERLEY: My Lords, in the absence of my noble Friend who leads the Opposition in this House (Earl Granville), and who is prevented from being present, I should not like to let this opportunity pass without saying that I am certain that every word that has been said by the noble Marquess opposite is fully echoed on this side of the House. If I may be permitted to say something on my own behalf, I would add that, apart from the high respect always felt for one in so great a position as that occupied by the late Emperor, and the admiration which all of us have for the noble qualities which he displayed throughout his

career, those who had the honour of being personally known to him must have felt that he was one who inspired the deepest feelings of attachment to him on the part of all who had the privilege of his acquaintance.

STREET IMPROVEMENTS (METROPOLIS.)

QUESTION. OBSERVATIONS.

THE EARL OF MEATH asked the Chairman of the Metropolitan Board of Works, Whether it was necessary that Piccadilly Circus, one of the principal sites of the Metropolis, should be disfigured by rough balks of timber supporting an unsightly wooden railing placed round a small paved space in the centre of the Circus; and, if so, how long Piccadilly Circus was likely to remain in this apparently uncared for condition? He supposed that the balks of timber were kept in their present position to show that the Metropolitan Board had not given the place up to the public. It was a pity that this spot, and others elsewhere, should be surrounded by unsightly hoardings when temporary railings could be set up on certain days in the year to prove that there had been no dedication to the public. He was aware that the Metropolitan Board, as regarded its health, was in a very unsatisfactory condition, and that it was often the case that a man *in extremis* looked upon mundane affairs with different eyes from a man who was strong and vigorous. At the same time, he hoped the noble Lord might be able to assure their Lordships that although the life of the Board was not likely to be very prolonged, it would act as private individuals were supposed to act in that condition, and that it would set its affairs in order so as to transmit them to its successor in a satisfactory state. He might add that, although the Board had been the object of much hard hitting lately, yet he was certain that there were large numbers of the public who felt that they owed a debt of gratitude to the Board for all it had done in the way of improving the Metropolis, especially for its two greatest works—the main drainage of London and the Thames Embankment.

LORD MAGHERAMORNE said, he had to thank the noble Earl for his kind recognition of the services of the Metropolitan Board of Works, which had been, and were now, being unduly, and he might say most atrociously, assailed in many quarters. He confessed that there were subjects which he would not allude to, because he saw present the noble and learned Lord opposite (Lord Herschell), who was the head of the Commission which was investigating them, and he would not have touched on the subject at all had not the noble Earl done so; but he should not be worthy of his position as Chairman of the Board, which he had held for 18 years, if he did not say that he considered the great bulk of his colleagues to be as noble and as straightforward men as any in either that or the other House of Parliament. He said that fearlessly, and he defied anybody to prove the contrary. When he was asked whether, when they retired, they would hand on to those who should succeed them everything in the best possible form, he answered, "Yes, we will do it." They would stick to their work and hand it over to those whom Parliament might select to succeed them. As to the special point of the noble Earl's Question, he could only say that the Board was now considering what should be done with the vacant site in Piccadilly Circus. The balks of timber, which the noble Earl did not seem to think pretty—and he agreed with him—had been placed there for the purpose of reserving the control of the Board over the place, it being undesirable to subject it to the unfettered discretion of the Vestry. Their reason for thus acting was this. Their Lordships were all aware that wherever there was an open space there were all kinds of ideas as to what should be done with it, and many suggestions had been made and many plans proposed for the adornment of this site. One proposal was that a statue or fountain should be erected; another that an artistic lamp-post should be set up; and a third that the place should be planted with trees. Another fanciful suggestion was very curious—namely, that a retiring room should be built underneath it, but this idea certainly did not find favour with his colleagues. He thought the Metropolitan Board might be proud of its West End streets and of the communication at this particular point; and they were anxious, if they were to die—and it seemed they were to die—

but be that as it might, they would like as long as they were given the power in their own days to put something, or let somebody else put up something, which would be a credit to the Metropolis, in what he considered to be one of the best spaces of London. There were so many different suggestions that the matter required careful consideration. They were giving it that consideration, and he hoped before they were extinguished that they should be able to give an opinion and a decision on that important question, and he would assure their Lordships that they would be guided in their decision by the desire that the adornment of this fine site should be a credit to the Metropolis.

PRIVATE AND PROVISIONAL ORDER CONFIRMATION BILLS.

Ordered, That Standing Orders Nos. 72. and 82. be suspended for the remainder of the Session.

House adjourned at a quarter before Five o'clock, to Monday next a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 15*th June*, 1888.

The House met at Two of the clock.

MINUTES.]—New Writ Issued—*For* Kent (Isle of Thanet Division), *v.* the Right honble. Edward Robert King-Harman, deceased.

Select Committees — *Third Report* — Army Estimates [No. 225].

Special Report—Committee of Selection (Standing Committees).

Ways and Means—*considered in Committee*—£5,570,712, Consolidated Fund.

Private Bills (*by Order*)—*Third Reading*—Plymouth and Dartmoor Railway; Porthdinlleyn Railway, and *passed*.

Public Bills—*Committee*—Local Government (England and Wales) [182] [*Sixth Night*]—R.P.; Customs (Wine Duty) [293]—R.P.

Committee—Report—Third Reading—North Sea Fisheries [278], and *passed*.

Third Reading—National Debt (Supplemental) [264], and *passed*.

Provisional Order Bills—*Second Reading*—Drainage and Improvement of Lands (Ireland) * [277]; Local Government (No. 12) * [284]; Local Government (No. 13) * [287].

Report—Local Government (Poor Law) (No. 7) * [272]; Tramways (No. 2) * [242].

Lord Magheramorne

PRIVATE BUSINESS.

ENNISKILLEN, BUNDORAN, AND SLIGO RAILWAY BILL [REPAYMENT OF DEPOSIT].

RESOLUTION. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [14th June].

"That it is expedient to authorise the repayment of the sum of Three thousand two hundred and seventy-five pounds Three pounds per Centum Consolidated Annuities, being the sum deposited in respect of the application to Parliament for 'The Enniskillen, Bundoran, and Sligo Railway (Donegal Extension) and Enniskillen and Bundoran Extension Railway (Abandonment) Act 1879,' which in pursuance of section thirty-six of that Act is now forfeited, together with any interest or dividends thereon."

Question again proposed.

Debate *resumed*.

Mr. JORDAN (Clare, W.) said, he could not get satisfactory information with regard to this Bill. He had asked a Question about it yesterday, but could not obtain a satisfactory reply. He had requested to be informed who were the sponsors for the Bill in the House, as there seemed to be no one promoting the measure whatever; but his query remained unanswered. Now, in 1879, the promoters of the Donegal Extension Bill obtained Parliamentary powers on condition that they made a railway within five years. Those promoters paid on deposit a sum of £3,275; but this, in 1884, was forfeited by reason of the non-performance of the conditions upon which the Bill was obtained. Now, after nine years had elapsed, some parties unknown to him came to that House and sought a Bill to obtain the repayment of this £3,275 already forfeited to the Treasury, and as one of those who came from the centre of the district that would have been largely benefited commercially by the railway, and as Chairman of the Town Commissioners in that locality who aided the promoters at that time to obtain the Bill, he thought it was only fair that he should be answered when he asked if all the necessary conditions had been fulfilled. The Chairman of Committees was the only person in the House who could give him any information yesterday, and, of course, that was not satisfactory.

He wanted to know had the necessary notices been inserted in *The Dublin Gazette*, and he desired, also, to know whether any claim for compensation had been made, and if any payments had been made in respect of compensation? He also wished to ask to whom the money was to be repaid? One gentleman, Mr. McBirney, Dublin, who was connected with the promotion of the former Bill, and who, he (Mr. Jordan) was almost sure, had paid the whole of this £3,275 by way of deposit, was now dead. Another gentleman, Mr. Bloomfield, who was connected with the railway, and who had, he believed, paid no money by way of deposit, however, was alive, and he (Mr. Jordan) should not like to see the money go into the wrong hands. He should like to see it paid to the proper person—that was to say, to the heirs and succesors of that gentleman who had paid it originally in the form of a deposit. It was only fair, at any rate, that he (Mr. Jordan) should have information upon the subject, being interested in the part of the country to which the original Bill applied. He would move, if it were competent for him to do so, that the Resolution be reported upon this day three months.

MR. SPEAKER: I must remind the hon. Member that it is not competent for him to make that Motion. The hon. Member can move that the debate be now adjourned.

MR. JORDAN said, he did not wish to delay the Bill. All he wanted was some satisfactory information in the matter. It would be as well for him, perhaps, to move the adjournment of the dobate.

THE CHAIRMAN OF COMMITTEES (Mr. COURTNEY) (Cornwall, Bodmin) said, that if the hon. Member moved the adjournment of the debate, he would prevent him (Mr. Courtney) from giving him an answer. As to the Motion now before the House, he could satisfy the hon. Member and give him all the information he sought in the matter. The hon. Member had correctly stated the facts. This railway was one of the many projects sanctioned by Parliament, and subsequently abandoned. When Parliamentary powers were applied for, a deposit was paid in as an earnest that the railway construction was to be carried out, and in order to meet any claim which might arise in consequence of the action of the promoters of the Bill. That deposit, in the present instance, as the hon. Member had stated, owing to the non-fulfilment of the conditions upon which Parliamentary powers were given, was forfeited to the Crown. This Bill was a release on the part of the Crown of the money so forfeited. The hon. Gentleman wished to be assured as to whether any demands for compensation had been settled, and he also wished to be certain that the money would be paid to the persons rightly entitled to it. This Bill, which was in the strictest accordance with all previous measures dealing with such questions, released the claim of the Crown, and ordered the High Court in Dublin to pay the money deposited, subject first of all to the payment of all claims established against it to the persons who were entitled to it, and who paid the money in the first instance, or to their survivor or survivors. The first thing the High Court did in a case of this kind was to advertise for any claims, and when claims were established, after a certain interval there was a settlement, and the Court proceeded to distribute the money to those entitled to it. Whatever guarantees the hon. Member wished to have rested with the High Court, which followed the ordinary course in regard to sums paid into Court, first in advertising for claims, then in examining those claims, and paying those which were genuine, and, subsequently, in paying the remaining money to those entitled to it.

Question put, and *agreed to.*

Ordered, That it be an Instruction to the Committee on the Enniskillen, Bundoran, and Sligo Railway Bill, that they have power to make provision therein pursuant to the said Resolution.

QUESTIONS.

—o—

CRIMINAL LAW AND PROCEDURE, (IRELAND) ACT, 1887—SECRET INQUIRY AT FALCARRAGH, CO. DONEGAL.

MR. CAREW (Kildare, N.) (for Mr. T. M. HEALY) (Longford, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Does Mr. Hamilton, R.M., deny that any investigations in furtherance of the secret inquiry he was holding at Falcarragh, County Donegal, in

respect of the alleged conspiracy against Mr. Olpherts, a local landlord, were conducted in Mr. Olpherts' house by Detective Reeves, who accompanies and assists Mr. Hamilton R.M.; were Thomas Carr, Alexander Wilson, and James Lindsay examined in Mr. Olpherts' library by Detective Reeves in presence of Mr. Olpherts and his son, or were they questioned at all by Reeves; and, if so, by whose authority and under what legal process; was Thomas Carr asked why Mr. Olpherts found it impossible to have his pigs conveyed last month to Derry Market, and James Lindsay whether he was told that Mr. Hugh Boyle, grocer, Falcarragh, refused to fetch a little box to Derry for Mr. Olpherts; was Brian M'Callin, a labourer in Mr. Olpherts' employment, taken from his work to the library, and by Reeves asked his name, his residence, whether Hugh Boyle, grocer, Falcarragh, refused in his presence to carry to Derry for Mr. Olpherts a certain box, and whether he had any information to give; whether, as this examination had not the desired result, M'Callin was told to go, Reeves remarking to Mr. Olpherts that there was no use in bringing that man up; and, whether Mr. Hugh Boyle, the grocer who was alleged by Reeves to have refused to carry for Mr. Olpherts, was then summoned before Mr. Hamilton, R.M., at the secret inquiry, and sent to gaol for refusing to answer?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Resident Magistrate does deny the allegation contained in the first paragraph of the Question. District Inspector Reeves reports that the inquiries he made of Mr. Olpherts' three servants named, related entirely to the Boycotting of that gentleman, which was not embraced in the Resident Magistrate's inquiry. He did see these servants in Mr. Olpherts' house. Mr. Olpherts and his son were not present. The District Inspector acted in the discharge of his duty. Hugh Boyle is a public carrier, also a grocer, in the neighbourhood; and it was in regard to alleged refusals on his part to carry goods for Mr. Olpherts that District Inspector Reeves made inquiries of Carr and Lindsay. He likewise questioned M'Callin. He did not, however, say there was no use in bringing him up. Hugh Boyle was examined as a witness before the Resident Magistrate touching the Plan of Campaign; and refusing to answer questions he could have answered in regard to that conspiracy, was committed to prison.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask the right hon. Gentleman if it was by direction, and with the knowledge of the magistrates, that Mr. Reeves held the inquiry; and I wish to know if the Government have a right to hold a private and unsworn inquiry in a private house, preliminary to the statutory inquiry at the Petty Sessions Court-house before the Magistrates?

MR. A. J. BALFOUR: It is certainly in the power, and it is the duty, of a police officer to make inquiries when a crime has been committed. This is not a preliminary inquiry under Section 1 of the Crimes Act, as the hon. Gentleman seems to think. It is quite clear that the hon. and learned Member for North Longford (Mr. T. M. Healy) entirely confused two different inquiries which were going on at the same time, or nearly at the same time.

MR. SEXTON: Were the witnesses who were examined by Reeves at Mr. Olpherts' house afterwards summoned to the sworn inquiry, and questioned on the same affairs?

MR. A. J. BALFOUR: He was not questioned on the same affairs. Boyle was alleged to be guilty of two separate offences — one was Boycotting Mr. Olpherts. The other subject on which he was supposed to be able to give evidence was the Plan of Campaign. He was examined on one point by the police officer, and on the other by the magistrate.

MR. HENRY H. FOWLER (Wolverhampton, E.): Will the right hon. Gentleman state under what authority, either in this country or in Ireland, have police officers a right to hold such an inquiry?

MR. A. J. BALFOUR: I understand it was the universal practice both in this country and in Ireland.

MR CONYBEARE (Cornwall, Camborne) inquired on what authority the right hon. Gentleman said Boyle could answer questions about the Plan of Campaign?

MR. A. J. BALFOUR: I have no doubt he could have done so.

THE PARKS (METROPOLIS)—REGENT'S PARK.

MR. NORRIS (Tower Hamlets, Limehouse) asked the First Commissioner of Works, If he is able to state that such arrangements have now been made with Sir Charles Warren, the Chief Commissioner of Police, as to ensure proper control and supervision in and around the Regent's Park, with a view to prevent a recurrence of the disgraceful scenes which have for some time past taken place there; if he proposes to have the vacant grass land between Gloucester Gate and the North Gate properly enclosed, or to adopt other means for public security and the prevention of misconduct within the area of the Park; and, if he will define the relative position of the "Woods and Forests," the 'Department of Works," and the police, with reference to the Park and roads, and state the Acts of Parliament under which their duties are respectively carried out?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): The Chief Commissioner of Police has made certain alterations in the system of patrolling the roads in Regent's Park, which have, I believe, ensured a better control of disorderly persons; and I have put myself in communication with the Crown Estates Paving Commissioners, with a view to improving the lighting of the Inner Circle—a change which I am assured by the Police Authorities will greatly assist them in the performance of their duties. The enclosing of the grass land between Gloucester Gate and the North Gate would, I think, prevent a considerable amount of misconduct in that part of the Park; and I have applied to the Treasury to sanction the necessary expense of such enclosure. As to the third paragraph of the Question, I am afraid I can not add much to the definition which I gave in answer to my hon. Friend on the 7th of this month, except to say that the Acts of Parliament on which that definition rests are, as regards the position of the Woods and Forests and the Department of Works, the 14 & 15 *Vict.*, c. 42, secs. 22 & 23; as regards the duties of the Metropolitan Police within Regent's Park the 35 & 36 *Vict.*, c. 15, secs. 7 & 8.

BANKRUPTCY ACT (IRELAND)—J. R. GUY AND THOMAS MORONEY.

MR. MURPHY (Dublin, St. Patrick's) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether John R. Guy, a bankrupt, was within the past year tried and convicted by a jury on a charge of concealment of property and other offences against the Bankruptcy Act, and sentenced to six months' imprisonment; whether he was released by order of the Lord Lieutenant after a few weeks' imprisonment; whether Thomas Moroney has been now confined in prison for more than a year, without any trial or conviction, on a commitment by the Judge for unsatisfactory answering in the Bankruptcy Court; and, whether the Lord Lieutenant will order the release of Thomas Moroney as well as of John R. Guy?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, John R. Guy was released by direction of the Lord Lieutenant upon the medical officer's Report that further confinement would endanger his life. There did not appear to be any ground to apprehend that further imprisonment would endanger the life of Thomas Moroney, and the Lord Lieutenant had, therefore, no power to interfere.

TRAMWAYS ACTS (IRELAND)—PROVISIONAL ORDERS.

MR. BIGGAR (Cavan, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether several Orders in Council under the Irish Tramways Acts were passed more than two years ago, which the promoters have never since taken out, and on which the required deposits of 5 per cent on the estimates of the works have not been paid; whether the lines so sanctioned are mostly narrow gauge with excessively steep gradients, similar to the Skull and Skibbereen Tramway, which has proved a complete failure; whether the Royal Commission on Irish Public Works has reported against this class of tramways and against the adoption of any but the standard Irish railway guage; whether serious liabilities are entailed on the ratepayers should the promoters fail to complete and work the lines once their construction has been commenced; and, whether, in view of the foregoing cir-

cumstances, the Privy Council will at once cancel all Tramway Orders which have been lying over for a considerable time, and have not been taken up, and on which the deposits have not been paid?

THE CHIEF SECRETARY (MR. A. J. BALFOUR) (Manchester, E.): There are five cases in which Committees of the Privy Council more than two years ago recommended Orders under the Tramways Acts, and in which the promoters have failed to take further action. Two of the lines so recommended were of the narrow guage. There are no Orders to be cancelled, as no such Orders have been made. If Orders should be applied for in cases which have been lying over for a considerable time, the Privy Council, before proceeding further with them, would no doubt take into consideration the lapse of time and other circumstances which have occurred since the lines were recommended and see that no injustice is done.

METROPOLITAN BOARD OF WORKS—THE BLACKWALL TUNNEL.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar) asked the hon. Member for the Knutsford Division of Cheshire, On what grounds the Metropolitan Board of Works have changed their original intention of proceeding at once with the vehicular tunnel at Blackwall; when does the Board expect to be able to commence the vehicular tunnel; how long will it take to complete the foot tunnel; and, what is the estimated cost?

MR. TATTON EGERTON (Cheshire, Knutsford): In answer to the hon. Member's first Question, I must refer him to my answer given to the hon. and gallant Member for the Tower Hamlets, Bow Division (Sir John Colomb). The Board will be ready to enter into the first contract as soon as the question of re-housing the artizans displaced on the north approach has been decided by the Home Secretary, to whom an early application will be made to allow of re-housing in adjoining workmen's houses and unoccupied artizans' dwellings, constructed on surplus land sold by the Board. The general plans have to be approved by the Thames Conservancy, the Dock and Railway Companies, and they will be laid before them within 10 days. The Board's engineer advises us the first tunnel will be complete in 12 months from date of commencement. The estimate from drawings will not be made until their general approval.

LITERATURE, SCIENCE, AND ART—THE NATIONAL GALLERY—RENEWAL OF THE GRANT.

MR. W. H. JAMES (Gateshead) asked Mr. Chancellor of the Exchequer, Whether application has been made on behalf of the National Gallery Trustees for the renewal of the grant of £10,000 to the Gallery for the purchase of pictures; whether any reply has been received; and, whether he would have any objection, when complete, to lay a copy of this Correspondence upon the Table?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): The House is familiar with the arrangement concluded in 1885, on the occasion of the purchase of two pictures from the Blenheim Collection for £87,500. In assenting to the expenditure of this very large sum of money the then Board of Treasury intimated to the Trustees of the National Gallery that the ordinary purchase grant of £10,000 a-year would be suspended for some years, and this decision was made known to Parliament. At the same time, the then Chancellor of the Exchequer (Mr. Childers) expressed his readiness to consider favourably any proposal of the Trustees should any exceptionally advantageous opportunity occur of acquiring works of a representative character, and of a school or period of which examples are wanting in the Gallery. Since 1885 several applications have been made by the Trustees for a renewal of the purchase grant; but, so far as I have had to deal with them, I have said frankly that I was not prepared to depart from the arrangement made in 1885. I consider that continuity of policy is indispensable in such matters, on pain of Parliament never putting faith in declarations of intention made by the Executive Government; and so I have refused to entertain applications for a renewal of the annual grant.

MR. W. H. JAMES asked, whether the right hon. Gentleman would lay the Correspondence on the Table?

MR. GOSCHEN said, he thought that no public advantage would be served by doing so. Such a practice was likely to lead to the members of Departments adopting a controversial style of correspondence instead of writing in a business-like manner.

INLAND REVENUE—EXCISE—LICENCES TO BREWERS' HOUSES.

MR. CALEB WRIGHT (Lancashire, S.W., Leigh) asked the President of the Local Government Board, If he will lay upon the Table of the House a Return showing the number of new licences granted, and of old licences renewed, or refused to be renewed, by the Licensing Justices during each year since the passing of "The Licensing Act, 1874" (No. 338, August, 1883); in continuation of that Return to the end of 1887, and in reference to every licence refused renewal, to state whether the licence has one, two, or three endorsements, or none; and also showing the number of licensed premises for the sale of intoxicating liquors owned by brewers and distillers?

THE SECRETARY (Mr. LONG) (Wilts, Devizes) (who replied) said: In accordance with the promise made on the 14th of May, the Home Office is endeavouring to obtain information as to the number of victuallers', beer-house, and other licences for the sale of intoxicating liquors, the renewal of which has been refused in the year 1886 and four preceding years by the Justices of each Licensing District, showing in each case the ground of refusal, especially when such ground was, in any instance, that the licence was not required, and showing also the result of appeal, if any. Pending this Return the Government could not assent to a Motion for the Return suggested by the hon. Member. It would be impossible to obtain information as to the number of licences owned by brewers.

CIVIL SERVICE EXAMINATIONS—ERROR IN AN EXAMINATION PAPER.

MR. HUNTER (Aberdeen, N.) asked the Secretary to the Treasury, Whether, in an examination paper on arithmetic set at an open competition for female clerkships held in March, 1888, the following question was put:—

"4. Express 15, 35, 63, and 72 as decimals of their least common multiple. If the product of these decimals be multiplied by the cube of the least common multiple of the given numbers and divided by their greatest common measure, show that the result is unity. Explain the reason of this in general terms without attempting the full numerical calculation;"

whereas the result ought to have been 945 and not unity; whether any steps were taken to inform the competitors of the error in the question; and, whether he will call the attention of the Civil Service Commissioners to this case, with a view to the prevention of similar mistakes, which must tend to embarrass competitors?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): (1) The question was given as stated above; (2) the error was not discovered in time to allow all candidates to be informed of the alteration that should be made, and therefore no candidate was informed of it; (3) the answers to this question were specially examined a second time to obviate any possibility of hardship; and (4) the Civil Service Commissioners do their utmost to prevent the occurrence of errors; but in all examination papers there must be a possibility, however carefully guarded against, of mistakes being made.

TRAWLING (SCOTLAND) BILL—BEAM TRAWLING.

MR. HUNTER (Aberdeen, N.) asked the Lord Advocate, Whether the Government will consent to allow the Trawling (Scotland) Bill to be read a second time on the understanding that a Proviso will be inserted in Committee authorising the Fishery Board, with the sanction of the Secretary for Scotland, to make orders from time to time authorising beam trawling in specified areas in cases where it is proved to the satisfaction of the Fishery Board that such trawling will not be injurious to the industry of the line fishermen?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrews Universities): The Government are not prepared to assent to the course proposed by the hon. Member. The question is one which should be dealt with in a Government Bill and not in a Bill brought in by a private Member. The Government are not prepared to take action at present.

LOSS OF LIFE AT SEA—EXAMINATIONS FOR BOATSWAINS, &c.—LEGISLATION.

SIR WILLIAM PEARCE (Lanark, Govan) asked the President of the Board of Trade, Whether it is his intention to introduce a short Bill, or otherwise give effect to the following recommendations of the Royal Commission on Loss of Life at Sea:—

"That a simple professional examination should be required for the rating of boatswains and carpenters; that seamen with the rating of A.B. should be required to have continuous records of their services; and that advance notes should be legalised, but strictly limited in all cases to the advance of one month's wages?"

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said he had given directions for clauses to be drawn dealing with the three Recommendations to which his hon. Friend referred. He proposed to circulate those clauses among the Associations and other persons connected with shipping; and if the replies he received were so generally favourable as to lead him to imagine that legislation on the subject would be non-contentious, he would try to find an opportunity for it this year; otherwise, he feared it would not be possible to do so.

LAW AND POLICE—ARREST AND DETENTION OF MR. JOHN MARA.

MR. CAINE (Barrow-in-Furness) asked the Secretary of State for the Home Department, If the fresh evidence has yet been forthcoming against Mr. John Mara, detained on remand by Mr. Newton on the charge of picking pockets, made against him on June 2 by two detectives; if he could state what was the evidence on which Mr. Mara was arrested and remanded; what is the nature of the expected evidence for which he is detained, who are the witnesses for whom the police are now searching, and have they yet been found; if they are not yet found, how long a time is it customary to detain prisoners on suspicion of committing a crime against whom no evidence justifying committal or conviction is forthcoming; on what ground did Mr. Newton refuse the bail that has already been tendered; is there any limit to the powers of the police to arrest on suspicion; if so, what are those limits; is there any limit to the powers of a police magistrate to remand waiting further evidence; and, will he lay upon the Table of the House the notes of the evidence given in Mr. Newton's Court at Marlborough Street in this case?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the magistrate that the case will be further heard to-morrow. Mara was remanded on evidence which, in the opinion of the magistrate, made out a *primâ facie* case of attempting to pick the pockets of ladies at a crossing in Hyde Park. The magistrate does not know the nature of the evidence which will be given to-morrow. He informs me that it is customary to detain a prisoner charged with an offence of this nature until all the evidence is heard. The magistrate, in the exercise of his discretion, refused bail after hearing the evidence. The police have by statute the power to arrest any person whom they have good cause to suspect of having committed, or being about to commit, a felony. The power to remand is entirely within the magistrate's discretion. I must decline to lay the notes of evidence on the Table of the House, as the hon. Member will feel that it would be most improper that the House of Commons should interfere with the discretion of a magistrate in dealing with a part-heard case in a Court of criminal jurisdiction.

MR. CAINE asked, on what ground the magistrate had refused bail?

MR. MATTHEWS said, it was in the exercise of his discretion.

MR. CAINE gave Notice that he would repeat the Question on Monday.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—SCHOOL BOARD FOR LONDON—TRANSFER TO THE LONDON COUNTY COUNCIL.

COLONEL DUNCAN (Finsbury, Holborn) (for Sir RICHARD TEMPLE) (Worcester, Evesham) asked the President of the Local Government Board, Whether he will exempt the School Board for London from any liability under the Local Government Bill to have its duties and responsibilities transferred to the London County Council?

THE SECRETARY (Mr. LONG) (Wilts, Devizes) (who replied) said: There is no intention on the part of the Government that the duties and responsibilities

of the School Board for London should be transferred to the London County Council; and when Clause 8 of the Local Government Bill is reached in Committee, the Government will be quite prepared to consider any Amendment with the view of showing clearly that no such arrangement may be made under the clause.

COUNTY ELECTORS ACT, 1888—DECLARATIONS FOR PARLIAMENTARY ELECTORS.

MR. SCHWANN (Manchester, N.) asked the President of the Local Government Board, Whether in the County Electors Act of May 16, 1888, Clause 6, Section 1, the date fixed for sending in declarations—namely, September 5, applies to boroughs and counties for Parliamentary and Municipal Registers as well as to the new County Registers, or whether the date which has hitherto been fixed—namely, September 12, will remain the last day for sending in declarations for Parliamentary elections?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's), in reply, said, that Section 6 (1) of the County Electors Act made September 5 the last day for sending in declarations.

METROPOLIS — HOSPITAL SUNDAY FUND—COLLECTIONS IN THE PARKS AND OPEN SPACES.

MR. BRADLAUGH (Northampton) asked the Secretary of State for the Home Department, Whether on February 24, 1888, he approved an addition to the by-laws of the Metropolitan Board of Works, under which additional by-law the collections for the Hospital Sunday Fund have since been prevented on the open spaces under the control of the Board; whether he is aware that one prosecution has been actually commenced, and other prosecutions are now being threatened by the Metropolitan Board of Works, against working men and others for making collections on such open spaces in connection with otherwise lawful public objects; whether he will state to the House the facts on which his decision to create this new offence was based; whether public collections have been for more than 40 years made on the open spaces of the Metropolis for political, social, and public charitable objects; and, whether he will state any cases of evil resulting therefrom?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; at the time named I did approve a by-law prohibiting persons from soliciting or gathering money in certain Parks and open spaces from persons frequenting the same. I have not been able to ascertain at present whether the Hospital Sunday Fund collection has been prevented under this by-law. I am informed by the Board that in two or three cases the names of the offenders have been taken, the Board awaiting the result of the case now pending before a magistrate. In 1887 complaint was made to the Board by a ratepayer that the practice of soliciting money after meetings was being abused. A Committee of the Board thereon made inquiry; and they found reason to believe that certain persons availed themselves of the permission to hold public meetings for the sake of collecting money for their own purposes, and made a living by it. I cannot say whether collections have been made for more than 40 years in the open spaces of the Metropolis; but I am informed by the Board that it has not until recently been the practice in the Parks under their control. The Board do not allege any evil result beyond annoyance of which members of the public complained; and they proposed the by-law with the view of protecting the public from the abuse to which the practice was liable.

MR. LAWSON (St. Pancras, W.) asked the Home Secretary, whether he was aware that under this by-law the Sunday music provided by the Sunday League in the Parks would be absolutely stopped, as no collections could be made?

MR. J. ROWLANDS (Finsbury, E.) inquired whether, in the opinion of the Home Secretary, it would be for the public benefit to stop the collection for this music?

MR. MATTHEWS said, that he had given all the information in his possession to the House. The practice had grown up quite recently in the Parks under the control of the Board. He would inquire whether any evils had resulted from these public collections.

MR. BRADLAUGH asked whether, as a matter of ordinary law, persons

could not be prosecuted if they asked for money for private purposes?

MR. MATTHEWS said, that he never attempted to solve questions of ordinary law with the hon. Member.

MR. J. ROWLANDS asked, what was the custom with regard to those Parks which were not under the control of the Metropolitan Board of Works?

MR. MATTHEWS said, that he was not aware, but would inquire.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked whether, in view of the fact that disturbance might probably arise from the carrying out of this by-law, he would order that these prosecutions should be discontinued where the collection had been made for a *bonâ fide* political meeting?

MR. MATTHEWS said, he was afraid it was beyond his power to make such an order.

MR. BRADLAUGH said, that as this was a matter affecting the whole of the Metropolis, and as these collections had been made for a period of over 30 years, he should, in the event of obtaining no more satisfactory answer on Monday, move the adjournment of the House, to call attention to the subject as a matter of urgent public importance.

LABOURERS (IRELAND) ACT--ERECTION OF LABOURERS COTTAGES—FERMOY BOARD OF GUARDIANS.

DR. TANNER (Cork Co., Mid) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that on the 2nd of May last a Resolution was carried by the Board making the expenses of the erection a Divisional instead of a Union charge; and, whether the Local Government Board will insist on the Guardians furthering the construction of suitable dwellings for the poor labourers at this the most suitable time of the year for building?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I shall now reply to the Question in the form in which it appeared on yesterday's paper. It is the fact that the erection of 157 cottages has been authorized in the Fermoy Union; 13 cottages, authorized by Provisional Order confirmed by Parliament in 1884, have been built; 144 others were authorized by Provisional Order made in June, 1887; but none of these have yet been built. The latter Order became absolute in October last, and an arbitrator was appointed by the Board of Works in February last; but the arbitration proceedings necessarily took some time. The Board of Guardians originally made the whole Rural Sanitary District the area of charge, and it was accordingly so fixed by the Provisional Order of 1887. Such a resolution as that referred to was passed by the Guardians in May last, but it was inoperative inasmuch as the Guardians have no power to alter an area of charge determined by a Provisional Order which has become absolute. Under the circumstances, the Local Government Board cannot take any steps with the view of compelling the Guardians to hasten their proceedings in the case.

LAW AND JUSTICE (ENGLAND AND WALES)—ACTION AGAINST "THE TIMES."

MR. H. J. WILSON (York, W.R., Holmfirth) asked Mr. Attorney General Whether there is any foundation for the suggestion which has appeared in the public Press, in reference to an impending action against *The Times*, to the effect that the Government have placed at his disposal information respecting the Irish Members of this House which is in the possession of the Government?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I have not seen, nor have I any knowledge of, any suggestion or statements which have appeared in the Press. The hon. Member must, I think, be aware that I should be guilty of gross breach of duty if I were, directly or indirectly, to answer this Question, or to make any statement respecting it from which any inference, direct or indirect, could be drawn.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): The Secretary of State for the Home Department is not under a similar obligation; and I would ask him if the Government have placed at the disposal of the Attorney General, for the purposes of a private action, any real or imaginary information?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I absolutely decline to give any information whatever.

PERU AND CHILI—THE PERUVIAN BONDHOLDERS.

MR. HUNTER (Aberbeen, N.) asked the Under Secretary of State for Foreign Affairs, Whether it is a fact that a Protocol was signed in Santiago, on the 11th of April last, between Senor Don Augusto Mattè, Chilian Minister for Foreign Affairs, and Hugh Fraser, Esq., Her Majesty's Minister, resident in Chili, relating to the terms of a contract known as the Grace-Aranîbar Contract, recently entered into between the Peruvian Bondholders Committee and the Government of Peru; if it is a fact that in that Protocol it is clearly represented that Chili will submit to no departure from the terms of her Treaty of Peace with Peru, and that Mr. Fraser, in signing the Protocol, assented thereto; whether, since the said Protocol was signed, Her Majesty's Government has received any other proposals in writing from the Chilian Government for a settlement of the claims of Peruvian bondholders; and, whether Her Majesty's Government will lay upon the Table of the House the said Protocol, and the other proposals, if any, of the Chilian Government?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham): Perhaps the hon. Member will allow me to answer this Question. On the 12th of April last Mr. Fraser announced that the Chilian Government had made confidential proposals to Her Majesty's Government for the amendment of the Articles of the Grace-Aranîbar Contract to which they had taken exception, and also proposals for the settlement of the claims of the bondholders against Chili. These proposals, so far as relates to the contract, have been transmitted in the form of a Protocol, which was signed by Her Majesty's Minister at Santiago *ad referendum;* and the Chilian Government, in a separate document, have submitted certain bases of arrangement for a combined settlement of the bondholders' claims on Chili and Peru. The proposals, being confidential, cannot be laid on the Table.

THE AUSTRALIAN COLONIES—CHINESE IMMIGRANTS.

MR. HENNIKER HEATON (Canterbury) asked the Under Secretary of State for the Colonies, Whether he was in a position to give the House the substance of any cable messages received from Australia embodying the result of the Conference at Sydney on the Chinese question?

THE UNDER SECRETARY OF STATE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): In answer to the hon. Member I will read to the House a telegram which has been received this morning from the Governor of New South Wales, reporting the result of the Conference held at Sydney. The telegram is as follows:—

"14th June.—At the Australasian Conference held in Sydney on the 12th, 13th, and 14th instant, at which the Colonies of New South Wales, Victoria, South Australia, Queensland, Tasmania, and Western Australia were represented, the question of Chinese immigration, and your cablegram to the Governor of South Australia in connection therewith, were fully considered. The members of the Conference are sensible of the wish of Her Majesty's Government to meet the views of the Colonies, and have specially deliberated upon the possibility of securing legislation which, while effective, should be of a character so far as possible in accordance with the feeling and views of the Chinese Government. They have not overlooked the political and commercial interests of the Empire, nor the commercial interests of the Colonies. In 1886 the total exports to China from New South Wales, Victoria, South Australia, Queensland, and Tasmania were valued at £16,000, out of a total export trade amounting to £38,700,000. Our imports from China in the same year were valued at £846,000. While the custom of the Colonies, therefore, is very valuable to China, that country offers no present outlet of importance for Australasian trade. There has never been any attempt on the part of any of the Colonies to close their markets to the imports of the Chinese Empire, although most if not all of them are now produced in great quantities in the British Empire of India. The suggestion that any restrictions which are to be imposed should be of a general nature, so as to give power to exclude European or American immigrants, has been very carefully deliberated upon, but no scheme for giving effect to it has been found practicable. As the length of time to be occupied in negotiations between the Imperial Government and the Government of China is uncertain, and as the Colonies, in the meantime, have reason to dread a large influx from China, the several Governments feel impelled to legislate immediately to protect their citizens against an invasion which is dreaded because of its results, not only upon the labour market, but upon the social and moral condition of the people. At the same time, the Conference is most anxious that Her Majesty's Government should enter into communication with the Government of China with a view to obtaining, as soon as possible, a Treaty under which all Chinese, except officials, travellers, merchants, students,

and similar classes should be entirely excluded from the Australasian Colonies. By way of assisting to bring about such an understanding, the Conference has recommended the abolition of the poll tax now levied upon Chinese immigrants. While believing that the local legislation now proposed will accomplish its object, the Colonies would prefer that the exclusion of the Chinese should be brought about by international agreement of a friendly nature, as in the case of the United States. The Conference further desires that Her Majesty's Government should induce the Governments of the Crown Colonies of Hong Kong, Straits Settlements, and Labuan to at once prohibit the emigration of all Chinese to the Australasian Colonies, unless they should belong to the classes above mentioned. The Chinese who may claim to be considered British subjects in those Colonies are very numerous, and the certainty that their migration hither was prevented would give great and general satisfaction. The Resolutions arrived at by the Conference, and which have been embodied in a draft Bill, are as follows:—

1. That, in the opinion of this Conference, the further restriction of Chinese immigration is essential to the welfare of the people of Australasia.

2. That this Conference is of opinion that the desired restriction can best be secured through the diplomatic action of the Imperial Government and by uniform Australasian legislation.

3. That this Conference resolves to consider a joint representation to the Imperial Government for the purpose of obtaining the desired diplomatic action.

4. That this Conference is of opinion that the desired Australasian legislation should contain the following provisions:—

(1.) That it shall apply to all Chinese, with specified exceptions.

(2.) That the restriction should be by limitation of the number of Chinese which any vessel may bring into any Australian port to one passenger to every 500 tons of the ship's burthen.

(3.) That the passage of Chinese from one Colony to another without consent of the Colony which they enter be made a misdemeanour.

The first and fourth Resolutions were indorsed by all the Colonies except Tasmania, who dissented, and Western Australia, who did not vote; while the second and third were carried unanimously. As a whole, therefore, they faithfully represent the opinion of the Parliaments and peoples of Australia.

In conclusion, the Conference would call attention to the fact that the treatment of Chinese in the Australian Colonies has been invariably humane and considerate; and that, in spite of the intensity of popular feeling during the recent sudden influx, good order has been everywhere maintained.

In so serious a crisis the Colonial Governments have felt called upon to take strong and decisive action to protect their peoples; but in so doing they have been studious of Imperial interests, of international obligations, and of their reputation as law-abiding communities. They now confidently rely upon the support and assistance of Her Majesty's Government in their endeavour to prevent their country from being overrun by an alien race, who are incapable of assimilation in the body politic, strangers to our civilization, out of sympathy with our aspirations, and unfitted for our free institutions, to which their presence in any number would be a source of constant danger."

Baron Henry de Worms

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—COUNTY COUNCILLORS.

In reply to Mr. CONYBEARE (Cornwall, Camborne),

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, the duty had been cast upon the Local Government Board of fixing the number of County Councillors for each county. The printed proposals of the Government were entirely provisional. He would be perfectly prepared to consider any representations made to him on the subject.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—TREATMENT OF PRISONERS AT LOUGHREA.

MR. DILLON (Mayo, E.): I wish to ask the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland a Question of which I have given private notice. It is this—Whether his attention has been directed to the statement made as to 11 prisoners who were arrested under the Coercion Act in Loughrea on the day before yesterday, and detained for one night in the Bridewell. The statement is—

"That we protest against the treatment that we have received since our arrest. We were taken from our beds at 3 o'clock on Wednesday morning and marched to the police barrack, where we were detained until 2 o'clock, when we were taken over to the Petty Sessions Court, and forced to listen to the reading of depositions until 6 o'clock, when our application for bail was refused, and we were committed to Loughrea Bridewell—we consisting of 11 men—where there is only accommodation for three, and where even the beds of these three were almost wet, and quite filthy. In the interests of those who may be committed to gaol we feel bound to make this protest."

I wish to know whether there is any truth in this protest; and whether the right hon. Gentleman will undertake to ascertain if there is truth in this statement of treatment, endangering the lives of these men; and, further, I wish

to ask him whether he can furnish any information to the House as to a collision which took place yesterday in the town of Loughrea between the people and the police, at which some 30 people are said to have been injured?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I only got Notice of the Question when I came down to the House at 2 o'clock. I immediately telegraphed to Dublin; but I have received as yet no information on the subject.

MR. DILLON: Can the right hon. Gentleman give any security—as this is a matter which may affect the lives of these men, and as the offence with which they are charged is a trivial one—can he give the House any assurance that, if the facts turn out to be true, he will take some steps to see that these people are not injured?

MR. A. J. BALFOUR: Of course, Sir, the Irish Government will, in this as in every other case, do all they can to secure the proper treatment of prisoners.

GERMANY—DEATH OF HIS IMPERIAL MAJESTY FREDERICK III.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): Mr. Speaker, I regret to have to inform the House that Her Majesty's Government have received information of the death this morning, at a quarter past 11, of His Majesty the German Emperor. It will be my duty, on Monday, to move an Address to the Crown and to the Empress of Germany, expressing the deep sorrow and concern of this House at the calamity which has overtaken the Royal Family and the people of Germany.

SIR WILLIAM HARCOURT (Derby): Mr. Speaker, in the absence of my right hon. Friend the Member for Mid Lothian, I have only to say how deeply all sections of this House associate themselves with the sentiments which the right hon. Gentleman has expressed, and with the grief that is felt at an event which is not only an affliction to this country, in consequence of the connection of the late Emperor of Germany with the Royal Family of England, but which, I am sure, is felt to be an irreparable loss by all the nations of the civilized world.

ORDERS OF THE DAY.

—o—

NATIONAL DEBT (SUPPLEMENTAL) BILL.—[BILL 264.]

(Mr. Chancellor of the Exchequer, Mr. William Henry Smith, Mr. Jackson.)

THIRD READING.

Order for Third Reading read.

DR. TANNER (Cork Co., Mid) said, that before the Bill was read a third time he should like to have some explanation or assurance from the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) in reference to the question of annuities in the Bill. The market price of 3 per cent was taken as the basis for calculating annuities, and he thought the House ought to have some information in regard to the annuities under the Trustee Savings Banks Act. He held in his hand a Return from the National Debt Commissioners made on the 11th of May, 1888, and it would be found that the value of the assets, according to Acts of Parliament, differed, being fixed in one at £47,944,217, and by the other at £45,853,108, and showing a large deficiency. That deficiency would have to be met by the Commissioners of the National Debt, and he should like to have an explanation from the right hon. Gentleman as to what the effect of the present Bill would be upon the deficit.

SIR WILLIAM HARCOURT (Derby) said, he had mentioned this Bill yesterday, but he wished the right hon. Gentleman the Chancellor of the Exchequer to understand that if it was in any way inconvenient he would not press for the information he had then asked for. Probably the right hon. Gentleman would be able to give it before the end of the Session. He (Sir William Harcourt) wanted to know what measures had been taken in reference to the Debt which was still unconverted? There was, however, another matter upon which he would like to ask the right hon. Gentleman a question in regard to the Bill. Great changes had now been made in the position of the National Debt. The Treasury had been good enough, in reply to his Motion, to give a Paper containing some fuller information as to past transactions in reference to the Debt than had been

given before; but what appeared to him to be desirable and perfectly feasible was that the Commissioners for the Reduction of the National Debt—as a Department of the State—should make an Annual Report of their transactions, just as the Post Office, the Inland Revenue, and the Customs did. It was a Department comprising many officers, and supported at considerable expense, and it was only experts and those who understood these most complicated matters who were able to give information upon them. The transactions were of an extremely complicated character, and there ought to be a Report presented year by year. He would go further, and he should like to have the history of what had been done with reference to the Debt since the great war in 1815. He believed there were ample materials for compiling such a history, and it was certainly information that ought to be in the hands of the public. He would, therefore, be glad if the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) would hold out a prospect of making this an interesting feature in connection with the reform of the Debt in which the right hon. Gentleman's own career would take a distinguished part.

MR. W. BECKETT (Notts, Bassetlaw) said, that before the right hon. Gentleman the Chancellor of the Exchequer replied, he wished to put a question as to the reduction of interest in connection with the Post Office Savings Banks. The margin of profit made by the Post Office Savings Banks was now very small; and as the reduction of interest on Consols would convert that profit into a loss, he would like to know when it was intended to reduce the rate of interest payable by the Post Office Banks; and whether it should not be reduced at the same time as that of the Trustee Savings Banks?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): In answer to the question put to me by the hon. Gentleman the Member for Mid Cork (Dr. Tanner), the point he has raised is one of considerable interest, but really it is not touched by the provisions of the present Bill. The annuities dealt with by the present Bill are annuities to be granted after the passing of the Act. If the hon. Member desires further information as to the deficiency in the Trustee Savings Banks fund, of course I shall have to prepare to give it. With reference to the question put to me by my hon. Friend the Member for the Bassetlaw Division of Notts (Mr. W. Beckett) as to the reduction to be made in the interest upon the deposits in Post Office Savings Banks, it is clear that the rate of interest will have to be reduced. The same kind of measure will have to be applied to the Post Office Savings Banks as I was compelled to suggest in the case of the Trustee Savings Banks. I cannot say the precise date or the precise form in which the change will be made, but it is a question which must claim the early attention of the Government. It is extremely difficult to deal with all these matters at the same moment, as all of them involve questions of great complexity, and must be approached with the greatest care, in order to prevent injustice. In reply to the right hon. Gentleman the Member for Derby (Sir William Harcourt), I may say that I am at present engaged in considering the best means of dealing with the amount still outstanding from the conversion. Perhaps I may take this opportunity of stating that the amount of Consols which is still outstanding is £40,467,771, and the amount of Reduced is £6,009,968, making a total of £46,477,739. These are the latest figures I have been able to obtain, and the reduction is still going on, as the conversion is still open to those residing at considerable distances. With regard to the suggestion of the right hon. Gentleman, all I can say is that it is in contemplation to have that Report made annually by the Commissioners for the Reduction of the National Debt. It is extremely desirable to place clear and precise information upon all these matters before the House, and I can assure the right hon. Gentleman and the House that I will do what I can in the way of making further improvements in the statement of the National Debt, and in simplifying, as far as I can, what I admit are, in their present form, somewhat complicated figures. I will also consider to what extent the suggestion of the right hon. Gentleman can be carried out by issuing an exhaustive Report of the history of the National Debt during a course of years. Of course, I have very able assistance in

Sir William Harcourt

producing such a Report, and I am quite sure that Sir Rivers Wilson, the Controller General, will give his best attention to the undertaking.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar) said, he believed that such a Paper would be a most interesting document. He hoped that it would be issued in such a form that those who wished to compare the state of the National Debt now with what it was in other years would have no difficulty in doing so.

MR. GOSCHEN: I cannot accept the suggestion of the hon. Member, because it sometimes involves difficult matters when we undertake to make comparisons in a Return of this kind, and might throw the subject into some confusion. Therefore, I cannot bind myself as to the form in which the Return shall be made, or how far it will follow the form of the Return of the proceedings of the National Debt Commissioners. It is a difficult task to adjust the figures in such a way as both to have a comparative and statistical interest and not to avoid confusing the public mind to a certain extent. I will examine the point, and, if it is desirable, will see that the document is reprinted.

MR. CHILDERS (Edinburgh, S.) said, he hoped that the Annual Return which was called by his name, and which he had moved for at the request of the Treasury for many years, would be continued, although, perhaps, another column might be added to it.

MR. BARTLEY (Islington, N.) said, he hoped that the Government would take this opportunity of the reduction of the interest in the Post Office Savings Banks to devise some scheme by which indirect pressure would be brought to bear upon the holders of deposits to induce them to become larger holders of Consols, in order to get as large a number of persons as possible interested in the National Debt of the country.

MR. GOSCHEN: I entirely sympathize with the object of the hon. Member, and I think the House will sympathize with it also. It is extremely desirable that the depositors in Post Office Savings Banks should become large owners of Consols. I am glad to say that the number is increasing, and I will endeavour to formulate a plan by which it may continue to increase.

MR. ESSLEMONT (Aberdeen, E.) said, he was not sure that he was quite in Order; but he wished to ask, with regard to the interest to be allowed in the case of Savings Banks, whether it was the object of the Government to assimilate Post Office Savings Banks and the National Securities Savings Banks, so that the interest in both cases should be as far as possible the same?

MR. J. ROWLANDS (Finsbury, E.) said, he wished to know whether, in dealing with the interest of the Trustee Savings Banks, any steps would be taken to prevent the wrongful use of the name of the Government?

MR. GOSCHEN: The hon. Member should be aware that there is a Committee about to be appointed to inquire into the management of Trustee Savings Banks, and one of the questions with which they will have to deal—in regard to which I shall put a Notice on the Paper this evening—is the description which is sometimes given of these banks, and which occasionally involves to some extent the deception of the public. In reply to the hon. Member for East Aberdeen (Mr. Esslemont), I did not say that the amount of interest would be precisely the same in the Trustee Savings Banks as in the Post Office Savings Banks; but the relative rates will be maintained as they are now, there being a reduction of ¼ per cent in both cases.

Bill read the third time, and *passed.*

ORDERS OF THE DAY.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.—[BILL 182.]

(*Mr. Ritchie, Mr. William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Secretary Matthews, Mr. Long.*)

COMMITTEE. [*Progress 14th June.*]

[SIXTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART I.

COUNTY COUNCILS.

Clause 2 (Composition and election of Council and position of chairman).

MR. HENRY H. FOWLER (Wolverhampton, E.) said, that before his hon. Friend the Member for West St. Pancras (Mr. Lawson) moved the first Amendment on the Paper he wished to call the attention of the right hon. Gentle-

man the President of the Local Government Board (Mr. Ritchie) to the wording of the second line of this clause. He did so in no hostile sense, but with a view of securing that the drafting of the Bill should be improved. The clause spoke of "the administrative business of the justices of the county." He thought that that was a new phrase in legislation. It was certainly a very slip-shod phrase, if he might use the word, and it would be very difficult to devise what the transference of administrative business precisely meant. He would suggest the substitution of the words "jurisdiction and power," phrases with which they were perfectly familiar.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, he was much obliged to the right hon. Gentleman for having called his attention to the matter, but he would rather not make any alteration then. He would, however, consider the right hon. Gentleman's suggestion.

MR. LAWSON (St. Pancras, W.), in moving, in page 3, line 7, to insert as a paragraph—

> "The preparation and revision of a basis or standard for the county rate, which, with such additions and modifications as may be necessary, shall be the basis or standard for all rates leviable in the county,"

said, in moving that Amendment, he could not understand why Clause 5 provided that in relation to the preparation or revision of a basis or standard for the county rate, or in relation to appeals by any overseers or persons against that or any other rate, should be retained in the hands of the Justices, and not transferred with the other powers to the County Council. The rating question in the counties was a very big one, and he did not think it should continue on its present basis. The state of assessment and valuation in the counties was extremely unsatisfactory. What they wanted to arrive at was a uniform system of valuation and assessment. He was quite certain the right hon. Gentleman the President of the Local Government Board knew that there had been many unsatisfactory incidents connected with the present system. Some residences were said to be so spacious and splendid that it was impossible to fix the assessment, because not letable. The right hon. Gentleman would also be aware that there had been cases where the Chairman of the Court of Quarter Sessions had himself appealed against the assessment made by the Committee of the Union, and had got it reduced. He maintained that the ideal at which they should aim was the Metropolitan model. He was not very proud of the way in which the government of the Metropolis had been administered, but the system, as a rule, was good. Under the Act of 1869 there was a quinquennial valuation, so that every five years the whole property of the Metropolis was revalued, and the rateable value fairly represented the property of the Metropolis, while the contributions to the rates kept abreast with the wealth of the community. Perhaps he might be allowed to point out how the system worked, because he thought it would be generally appreciated. Every five years there was a revaluation; the overseers' forms were filled up as to the rent and terms of holding, and the occupier had notice of increase or decrease, and could appeal to the Assessment Committee. The surveyor of taxes was always present, and had such large powers that he could insist on his own value being taken, so as to make unfairness or jobbery almost impossible. Of course, there were provisions for intermediate valuations between the quinquennial periods. When any property was rated for the first time or the assessment increased, it was placed in a provisional list by the overseers, and notice of the increase in the value was given to the owner, who could object, if he chose, and go before the Assessment Committee. Then, if he were not satisfied with the decision of the Assessment Committee, he could carry the case still further and appeal to the Assessment Sessions, and thence to the Court of Queen's Bench. The Assessment Committee inserted the new rateable value in a supplemental list, which, together with all other lists, was taken into consideration when the quinquennial valuation was made. The advantage of this system, he thought everybody would admit, was obvious, especially in regard to the application of the Schedule to the Act of 1869, under which there was a certain fixed proportion deducted from the gross value, sometimes amounting to a sixth, sometimes a fifth, and sometimes a fourth. He believed that it would be impossible

to obtain an equal and regular system of assessment upon valuation except under some provision of this kind and he, therefore, moved the Amendment which stood in his name.

Amendment proposed,

In page 3, line 7, after "namely," insert as paragraph (i),—The preparation and revision of a basis or standard for the county rate, which, with such additions and modifications as may be necessary, shall be the basis or standard for all rates leviable in the county."—(*Mr. Lawson.*)

Question proposed, "That those words be there inserted."

MR. DUGDALE (Warwickshire, Nuneaton) said, he had been somewhat surprised to hear the hon. Member refer to the work of the Assessment Committee as purely administrative business. He should have described it as one of the most essentially judicial duties of Quarter Sessions. The methods of the assessment and the levying of rates were laid down in a Statute of 1852, which provided for the appointment of a County Rate Assessment Committee, and it gave them power of levying rates, of having all the officers before them, and examining them on oath. After that was done, the rate was sent to the overseers and submitted to the Vestry, and the overseers were required to forward any objections they might have to the County Rate Assessment Committee, who were compelled to fix a day for hearing such appeals. The County Rate Assessment Committee thereupon appointed a meeting, heard the overseers, or whoever made an objection to the basis of the rate, and, after hearing them, settled the rate, and laid it before the general Court of Quarter Sessions. The Court of Quarter Sessions could alter it in any way they liked; and by the Act of 1852, when confirmed by them, it became the basis for the county rate. So far he did not think there was very much objection to the functions of the Court of Quarter Sessions being transferred to the County Council; but Sections 17 and 18 of the Act of 1852 gave parishes and persons affected a right of appeal to the Quarter Sessions against the decision of the County Rate Basis Committee. Section 17, which gave that power of appeal, placed appellants in the usual position of persons appealing. They were to issue notices and state the grounds of appeal, and to go through all the forms of procedure in an ordinary case of appeal. When the cases came on for hearing, the Quarter Sessions were required to hear witnesses on oath, and he did not think the County Council would be a proper tribunal to perform such a duty as that. Therefore, although he thought the making of the basis might be transferred to the County Council, he was of opinion that it would be unwise to put on them the judicial business of hearing appeals.

MR. RITCHIE said, the Amendment of the hon. Gentleman the Member for West St. Pancras (Mr. Lawson) did not quite, as far as he could see, embrace all the matters which he had referred to in his speech. The hon. Member desired to have a new system of valuation and a uniform system of assessment. In regard to that, the Government were in entire accord with the hon. Gentleman. Originally, these matters formed a portion of the Local Government Bill; but so many clauses were intricate and controversial that, at the last moment, it was found quite impossible to deal completely and satisfactorily with so large a question as that, in addition to the other important subjects in the Bill. They, therefore, struck those clauses out; but he hoped that they might have an early opportunity of dealing with the whole question of valuations, and he was inclined to agree with the hon. Gentleman that if they were to take any standard on which the present system was to be amended or reformed, probably the system existing in the Metropolis was the system which they ought to take. Therefore, although there was no proposal of that kind in the Bill at present before the Committee, he could assure the Committee it was not because he was not fully aware of the great importance of the subject. He earnestly hoped that within a reasonable time the Government would be able to deal with the whole question, As far as the Amendment of the hon. Gentleman on the Paper was concerned, it dealt with two questions. One of them was the question of the basis of the standard county rate, and the other was the question of the basis of the standard of all rates leviable in the county. In regard to the question of the preparation of a basis for the County Rate, he had listened attentively to what

his hon. and learned Friend the Member for the Nuneaton Division of Warwickshire (Mr. Dugdale) had said, and he agreed with most of the observations which fell from his hon. and learned Friend. As the Committee were aware, they did not propose in the Bill to transfer the duty of the preparation of the standard or basis of the county rate to the County Council, because they desired to deal with that question also in connection with the whole system of valuation; but they had received large numbers of representations from Quarter Sessions in all parts of the country, strongly urging them, along with the duty of levying the rate, to transfer the preparation of the basis of the rate to the County Council. They were, therefore, prepared to accept that portion of the proposals which were made in various Amendments on the Paper, in accordance with the view of his hon. and learned Friend. They were prepared to propose an Amendment by which not only the levying of the county rate, but the preparation of the basis of the county rate, should be transferred to the County Councils. But in reference to the appeals which were twofold—an appeal by the parish against the assessment of the county authorities, and another, an appeal by an individual against the rating in his particular case—these appeals appeared to the Government to have an important judicial element connected with them; and they did not, therefore, propose to make a transfer as far as the question of appeals was concerned, but they proposed to leave the question of appeal, as now, in the hands of the judicial authorities which now exist edin the counties—namely, the Quarter Sessions. He hoped the suggestion he had made would meet with the acceptance of hon. Members who had put down Amendments on the Paper. He proposed to move the insertion of the following Amendment, in page 3, line 12—"And the preparation and revision of the basis of the plan for the county rate." With regard to other rates, he wished to remark that there were a large number of Unions which overlapped counties, and until they had all matters brought within the area of the county they could not give the County Authority power to deal with them. Some Unions were in as many as three counties, and if they gave to the county the power of fixing the basis for all rates, there might be three different bases in the same Union.

MR. HENEAGE (Great Grimsby) said, that although he was obliged to the right hon. Gentleman for the concession he had made, he did not think that it went quite far enough. Speaking of the experience he had gained in connection with the County of Lincoln, he might say that they had been now waiting for 15 years for a new county rate. The whole assessment at the present moment was entirely unsatisfactory—for instance, the docks of Grimsby had sprung up and had made the value very different from what it was. Then, again, the assessment for the different Unions was framed on entirely different principles, so that it was utterly impossible to arrive at any uniform basis by a comparison. Therefore, unless the Government were prepared to go one step further, it appeared to him that they would be in exactly the same position after the Bill was passed as they occupied now. He had placed an Amendment on the Paper giving the County Council—

"The revision of the present county and poor rate assessments, and the preparation of one uniform basis or standard of assessment for all rates leviable within the area of their jurisdiction under this Act, as well as the hearing and deciding of all appeals in relation to the county, district, or local rates."

The object of his Amendment was to secure that there should be one uniform assessment for all purposes, whether for county rate, district rate, or local rate. He himself would go much further, and desired that there should be one collection and one Department. What he desired was that in consultation with the Revenue officers some authority or other—and he could not conceive a better authority than a County Council—should have power to lay down an assessment that should be the sole assessment for all purposes throughout the county. He hoped the right hon. Gentleman would undertake to bring in a valuation Bill, or some clause that would enable a provision of that nature to be carried out. As far as the speech of the right hon. Gentleman went, he was much obliged to him for the concession he had made, although he thought it did not go far enough.

MR. LLEWELLYN (Somerset, N.) said, he thought there ought to be power on the part of one parish to appeal

against the course pursued in another, instead of allowing matters to go on as they did at present. One parish ought to be able to go in and see that another parish was kept up to its proper valuation.

MR. CHANNING (Northampton, E.) said, he had heard with satisfaction the concession which the right hon. Gentleman the President of the Local Government Board had made in this matter; on the wider subject of valuation generally, he thought it was, perhaps, unreasonable to press the Government at this stage. He was glad to hear the suggestion of the hon. and learned Member for the Nuneaton Division of Warwickshire (Mr. Dugdale) that as regarded rating the functions of Quarter Sessions should be limited to hearing appeals. He should like to point out that this was, in fact, to adopt the principle of the Amendment he had on the Paper, which exactly carried out the view of the right hon. Gentleman the President of the Local Government Board. It provided that the County Council should have "the preparation and revision of the basis or standard for the county rate." He had also an Amendment on Clause 5 reserving appeals to the Quarter Sessions. He understood that to be the principle adopted by the right hon. Gentleman.

MR. STANSFELD (Halifax) said, he was afraid he had not followed the right hon. Gentleman the President of the Local Government Board clearly, and he therefore wished to ask him what was the purport and extent of the clauses it was originally intended to include in the Bill which dealt with the question of the basis for the assessment of the rate? Was it to extend beyond the county rate, and apply to the whole of the rates in the county? He had no desire to raise any objection against the Bill of the Government; but he was bound to express his very great regret at the statement the right hon. Gentleman now felt himself compelled to make. If there was a subject of primary importance, then he maintained that in any scheme for the reform of County Councils the question of assessment and the fixing of all the rates within the county on a uniform system was of the greatest importance. It was not a question which needed argument, and the right hon. Gentleman could not deny its importance, because it was originally part of his measure. Comparing it with other matters that were contained in the Government proposals, what could there be so important for the simplification of the affairs of county government as securing a uniform assessment of property, and why should it not be undertaken now? The Government had intended to undertake it, and it formed the subject of a certain number of clauses in the Bill with that object. They were not very numerous, and they were not clauses which were likely to be discussed in a contentious spirit. The uniformity of assessment was not a Party question. Every Member of that House, to whatever Party he belonged, was bound to desire uniformity of assessment, at any rate throughout the county, if not throughout the country altogether. Since the right hon. Gentleman put the Assessment Clauses in the Bill, and afterwards withdrew them, certain things had happened—for instance, the right hon. Gentleman had withdrawn the Licensing Clauses, which were contentious, and would have occupied much more time in discussion. He would therefore suggest that the right hon. Gentleman should take an opportunity of revising his intention of not including the Assessment Clauses within the Bill, with the view of reinstating those clauses, and, at any rate, of giving his Bill a more respectable appearance when it was passed in the shape of an Act than it now presented. The functions to be handed over to the County Councils were very limited in their nature. They were to manage the main roads, to look after the lunatic asylums, and they were to have something to do, although he did not know exactly how much, with the police. Those were not very large functions—in fact, hardly sufficient to justify the creation of the new Body and the position it was intended to occupy in the county. There was a clause, it was true—namely, the 8th clause, which was of a very remarkable character—to enable by Orders in Council all the administrative business of almost every Department to be handed over without any actual discussion or assent on the part of Parliament to the future County Councils. That clause would have to be discussed in due time. He did not think it would meet entirely with the acceptance of the House; but before anything of that kind was at-

tempted, which the right hon. Gentleman himself regarded as an important matter, in the future establishment of County Councils, surely they should endeavour to deal with the question of assessment. The right hon. Gentleman had told the House that he entirely agreed in the opinion that the securing of uniformity of assessment in the counties was a great object, and he took it from the right hon. Gentleman that he originally thought he could accomplish that object in this measure, and that it would not be necessary to introduce a separate Assessment Bill. The right hon. Gentleman only withdrew the clauses because he thought they would occupy too much time. He had an opportunity now of reinstating them, and it was perfectly certain that they would be discussed in a non-contentious spirit. All desired that the Bill should be reasonably amended, wherever it was necessary, so that when it became law it should be as complete as possible. Moreover, it would reflect greater credit on the right hon. Gentleman, on the Government, and on the House if they could succeed in carrying these clauses.

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS-BEACH) (Bristol, W.) said, he should like to say a few words on this subject, seeing that it was one in which he took a considerable interest when he first entered Parliament 25 years ago. No one would accuse the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) of any desire to defeat the Bill. So far as he was aware, the right hon. Gentleman had supported the Government wherever he could, and had acted fairly and straightforwardly in the discussion of the measure; but, in spite of that, the effect of the acceptance by the Government of the proposal the right hon. Gentleman had so insidiously made would be tantamount to the defeat of the Bill. He asked the right hon. Gentleman to remember what had happened already on the subject of assessment. The first Select Committee upon which he ever sat in that House was one appointed in 1866, and it was engaged for that whole Session upon this single question of assessment. If hon. Members knew anything of the discussions which took place in that Committee they would be aware that the subject was discussed with an utter absence of Party spirit; but there were numberless Divisions and endless differences of opinion in regard to points of valuations, as to the amount of deduction to be made in calculating the rateable value of property, and especially as to the powers to be given in relation to the Revenue officers arising from a uniform assessment for Imperial and local purposes. The result of the inquiry of the Committee was that a Bill was introduced by different Governments on more than one occasion in that House—a Bill of 35 or 40 clauses—but no Government ever succeeded in passing it into law, although Members of all shades of opinion were agreed as to the desirability of introducing the principle of uniformity of assessment. Yet with all this information before him, and with the Departmental knowledge he must have obtained when at the Local Government Board, the right hon. Gentleman calmly, at this stage of the Bill, with he did not know how many clauses contained in it, in the middle of June, asked his right hon. Friend to introduce this most difficult and complicated subject into the Bill, and add some 25 or 30 clauses to it. If that was not practically an attempt to defeat the Bill he did not know what was. It was their duty to act in an impartial spirit. The first thing, in his opinion, to be done was to institute reform of county government. When that was done, no doubt, the powers of the tribunal instituted might from time to time be increased; but it would be as absurd to try to place in this Bill all the matters with which county government might have to deal, as to insert in a measure for the reform of Parliament all the social changes which those who promoted Parliamentary reform might hope to secure from a reformed Parliament. Therefore, with as strong a feeling as the right hon. Gentleman could possibly entertain of the desirability of securing uniformity of valuation for Imperial and local taxation through the machinery they were now setting up, and with the firm intention, as expressed by his right hon. Friend the President of the Local Government Board, of taking the subject up at the earliest possible moment, the Government could not consent to encumber and defeat their Bill by inserting such clauses as the right hon. Gentleman suggested.

MR. RATHBONE (Carnarvonshire, Arfon) said, he could not altogether agree with the remarks which had fallen from the right hon. Gentleman. For 30 years they had looked for the promised Valuation Bill, and they wanted, if possible, to get some instalment without waiting for another 30 years. He would ask the right hon. Gentleman in charge of the Bill whether something might not be done by this measure, and by a very simple addition to the Amendment before the Committee? The right hon. Gentleman the President of the Local Government Board had pointed out that it was impossible to take up the last part of the Amendment, making the standard for the county rate the standard and basis for all the rates of the county, because in a great many counties the boundaries of the county cut the boundaries of the Union. That was a very reasonable objection; but in a great many counties that was not the case, and, as he understood the Bill, it was intended that where they did cut the boundary of counties there was to be a revision of boundaries. He thought the following addition to the Amendment would meet the case—namely, "where or as soon as the boundaries of the county do not cut the boundaries of the union." If the Government would adopt that principle, it would be possible to give a good instalment of what they all wished.

MR. RITCHIE said, he was afraid it would be impossible to deal with the question in the off-hand way suggested by the right hon. Gentleman. It would be necessary to give suggestions as to the lines upon which the boundaries were to be settled. Such directions would be absolutely necessary, and clauses that would be essential for the proper carrying out of the view of the hon. Gentleman would be very numerous. Therefore, to come to a satisfactory concession in a few lines, as suggested by the hon. Gentleman, was hardly possible.

MR. LAWSON asked if the Government were inclined to go no further than the first line of the Amendment?

MR. RITCHIE: We shall be prepared to accept the first line.

MR. LAWSON said, that, in those circumstances, he should not press the Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 3, line 12, after the word "found," to insert "the preparation and revision of a basis or standard for the county rate."—(*Mr. Channing.*)

Question, "That those words be there inserted," put, and *agreed to.*

MR. HENEAGE, in moving an Amendment in the same clause, to insert, at the end of line 15—

"The appointment, control, and dismissal of chief constables, and the management of the police in pursuance of this Act,"

said, his object was to hand over the control of the police to the County Councils. He was bound to say that since he put the Amendment on the Paper circumstances had very considerably altered, because the Licensing Clauses of the Bill had been withdrawn; but, at the same time, he still objected to the proposal of the Government to give the control of the police to a joint committee of the magistrates and the members of the County Council. For his own part, he was in favour either of one or the other; and eventually there could be no doubt that the control of the county police would be given to the County Council. Therefore, in order to clear the way, he proposed to give them that control now by his Amendment; but he wished to make it perfectly clear that he should prefer that it should still remain in the hands of the magistrates than it should be handed over to a joint committee. If he did not carry his Amendment now, he should support an Amendment to provide that the control should be retained in the hands of the magistrates instead of being handed over to a joint committee. His objection to a joint committee was that it would be no joint committee at all. It would be a committee either of the Quarter Sessions or of the County Council. How was it to be elected? According to the Bill, it was to be elected one-half by the magistrates and the other half by the County Council, so that one-half, under any circumstances, must be magistrates; and if the County Council, in electing their half, elected one-half magistrates, three-fourths of the entire committee would be magistrates. If, on the other hand, in order to prevent the magistrates from having a predominant voice on the committee, the Council decided not to elect magistrates at all, the effect would be to exclude the most

efficient magistrates. That was his chief objection to the present proposal of the Bill; but, for many other reasons, he thought that the County Councils had better deal with the police altogether. There were many duties which the police would have to perform under the County Councils with which the magistrates would have nothing to do. He, therefore, hoped the Government would either agree to place the police under the County Councils, or if they thought it would be better at the present moment that the control of the police should remain in the hands of the magistrates, let them take that course. He sincerely hoped that they would not agree to appoint a joint committee.

Amendment proposed,

In page 3, line 15, at end, to insert the words "the appointment, control, and dismissal of chief constables, and the management of the police in pursuance of this Act." — (*Mr. Heneage.*)

Question proposed, "That those words be there inserted."

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he had an Amendment on the Paper, which he intended to move in Clause 5, in regard to the powers, duties, and liabilities of the Quarter Sessions with regard to the police, and perhaps it would be convenient to the Committee to take the discussion of that question on the Amendment which had been moved by his right hon. Friend. This was a very serious question, and one which he hoped the Committee would not pass by in a light way. They were only seeking to retain the powers possessed by the magistrates in regard to the police, and they looked upon it as a question of vital consequence to the interests of the country. He looked upon the maintenance of law and order as the one which, above all others, should be in the hands of the magistrates; and if upon them devolved the duty of maintaining law and order, the police should be absolutely under their control. The right hon. Gentleman the Member for Great Grimsby (Mr. Heneage) proposed to place them under the control of the County Council; whereas his right hon. Friend the President of the Local Government Board proposed, with the exception of the appointment of the Chief Constable, which was to be retained by the Quarter Sessions, to place them under the joint custody of a Committee appointed by the Quarter Sessions, and one appointed by the County Council. He (Sir Walter B. Barttelot) contended that that was an unfortunate arrangement for many reasons. He wished to put the case very shortly—and he hoped without any prejudice—before the Committee. He thought they ought in this country to maintain, as far as possible, the control of the police in the hands of those persons who happened, from circumstances, to be in a position to undertake the duties of magistrates. Men of all classes, as soon as they were in a condition to support the position, tried by every means in their power to be made magistrates. It was a very laudable desire. [*Laughter.*] He saw that the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) was very much amused; but he had no doubt that there were a good many persons who were anxious to become magistrates and perform the duties connected with the office. If they took away the position they now occupied from the magistrates and their sons, and did not give them something to do in the country—[*Laughter.*] He knew that would provoke a laugh from the other side of the House. But if they drove these men away and prevented them from rendering services that were, in his humble opinion, of great advantage to the counties, they would only drive them into the towns for amusement, instead of allowing them to learn the most useful part of man's education—namely, the administration of law and justice. That was one point he wished specially to call attention to; but there was another—and there he felt he was treading on delicate ground—but he would not mention names or places. Instances had occurred lately—he would not say where, or whereabouts, although a good deal had been stated in that House on the subject—where, if the whole control over the police had been in the hands of the County Councils, there was every reason to believe that in many instances there would have been a grave dereliction of duty. [*Dissent.*] Hon. Members shook their heads; but in dealing with a question of this kind it was most important to look at all the considerations

involved, and, after mature consideration, to come to the conclusion which they believed to be the best, not only for particular localities and individuals, but for the whole country. He believed it would be far wiser, more prudent, and far better in the interests of the country that the police should remain, as they were at present, under the control of the Quarter Sessions, and it was with that object he had ventured to put down the Amendment which stood in his name on the Paper.

SIR WALTER FOSTER (Derby, Ilkeston) said, the Committee had in this case a means of testing the earnestness and sincerity of the Government in conferring upon the County Councils as much power and dignity as they undoubtedly ought to have. If the magistrates were to lose many of the powers which they had hitherto enjoyed, and which they esteemed so highly, why not give the new County Councils, which were to replace them, all the power and dignity the magistrates had enjoyed, and especially with regard to the control of the police? He was of opinion that the only way in which they could make local government successful was to give all the dignity and power they could to the elected representatives of the people. On that account he was anxious that the control of the police should be given to these Councils. There had been no complaint that the control which the large Corporations possessed over the police had worked badly. On the contrary, all the evidence showed that it had worked well, and he asserted fearlessly that some of the scandals of police administration which had appeared lately in the newspapers—and some of the instances occurred not far from where he was speaking—could not have occurred in localities that were controlled by Watch Committees. For that reason he supported the Amendment which had been moved by his right hon. Friend the Member for Great Grimsby (Mr. Heneage). Last Session he had to bring before the House an instance of the brutal treatment on the part of the police of a child in his own Division, and that case would have been inquired into with much less friction in a borough where the Watch Committee had control. Having been a member of a Watch Committee, his own opinion was that it was most desirable that the representatives of the people should control the police of the district in which they were elected. He believed that course would bring about a far larger amount of sympathy between the people whom the police controlled and the police themselves. Nowadays there was a strong tendency to convert the police into a *quasi*-military force. He objected to that, because he wanted to see the police in closer sympathy with the people, and to bring that about it was necessary that they should be placed under the control of elected representatives of the people. He believed that the Amendment would accomplish that object. The hon. and gallant Baronet the Member for North-West Sussex (Sir Walter B. Barttelot) spoke of the preservation of law and order; but there were few instances of the violation of law and order in towns where a popularly elected Watch Committee controlled the police. It was only where the police were under the control of the magistrates or the Government that these questions of law and order cropped up. The best way to preserve law and order was to place the police under the entire control of elected representatives.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) said, the right hon. Gentleman who moved the Amendment (Mr. Heneage) had declared his desire that the police should remain as they were, under the control of the magistrates.

MR. HENEAGE said, he had not said anything of the sort. What he had said was, that rather than leave them under the control of a joint committee he should prefer that they should remain as they were.

MR. STANLEY LEIGHTON said, there were four proposals before the Committee, and it would, perhaps, be better to consider them separately. There was the proposal of the right hon. Gentleman the President of the Local Government Board, who wished the police to be under the control of a joint committee. The proposal of his hon. and gallant Friend the Member for North-West Sussex (Sir Walter B. Barttelot) was that they should remain as they were. The right hon. Gentleman the Member for Great Grimsby (Mr. Heneage) desired them to be under the control of the County Councils; and he (Mr. Stanley Leighton) had a further

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proposal that they should be under the control of the Home Office. He did not propose to consider the advantages or disadvantages of all these proposals at once, but he wished to suggest only the objections he entertained to the proposal of the right hon. Gentleman that the police should be under the control of the elected Body. Now, an elected Body would not be always and altogether in favour of law and order. In certain cases the elected Body would be entirely in the hands of one class of the community, and that class might be opposed to the law. In the mining counties, for instance, it would be altogether in the hands of the Miners' Organization; and the Miners' Organization was, like every trade organization, not always in favour of law and order. These trade organizations, if they used their power, would be able to command a majority in the County Councils. Now, the police ought to have nothing to do with one class of the community or another. Their only business was to carry out certain laws passed in that House, and they ought not to be influenced in any way by any local or popular feeling. The hon. Gentleman who spoke last (Sir Walter Foster) said that all the evidence was in favour of the management of the police in large towns by an elected Watch Committee. He (Mr. Stanley Leighton) denied altogether that there was any evidence whatever to justify the assertion. On the contrary, the weight of evidence went against the theory that the Watch Committee of the towns managed their police either as well as they were managed in the counties, or in London, or in Ireland. There were certain Acts of Parliament that were never put in force at all by Town Councils. In some places, like Leicester, the authorities refused to put in force the Vaccination Acts; in other places these elected Bodies would not put in force the Contagious Diseases (Animals) Acts; and in others they would not allow the police to interfere with licensed houses, because a good many of them belonged to members of the Town Councils; in many of the boroughs they would not allow the police to interfere in any way with weights and measures; and in others the Food and Drugs Act was a dead letter. He was, therefore, justified in saying—and he did so without fear of contradiction—that these elected Bodies did not conduct their business satisfactorily on the whole. He thought that before this Bill was brought in it would have been prudent to have had a searching investigation into the manner in which the Town Councils had managed their affairs. The Commission which had considered the question in 1839, just before the new Constabulary were established, made this Report—

> "It appears to us essential that any paid constabulary should, as far as possible without impeding their general action, be under the judicial supervision of the local magistrates."

That Commission, at all events, was in favour of the police being under the control of persons who were responsible for the maintenance of law and order; and for these reasons he strongly opposed the Amendment.

VISCOUNT LYMINGTON (Devon, South Molton) said, he was sorry that his right hon. Friend the Member for Great Grimsby (Mr. Heneage) had moved his Amendment. In his opinion it was positively a mischievous Amendment, and, taking into consideration the views of his right hon. Friend on other questions, he was sorry that it had been moved. It was impossible for him, and he hoped that it was impossible for any other Unionist, in view of the question of Ireland, to vote for a proposal to hand over the control of police entirely to elected Councillors. [*Ironical cheers.*] He heard the cheer which hon. Members on that side of the House gave; but they did not shake his position in the least. If his hon. and gallant Friend the Member for North-West Sussex (Sir Walter B. Barttelot) went to a Division he should certainly vote with him, because on other grounds—not upon political grounds, but upon grounds of principle — he considered that the police and its administration should be under the control of and directed by a Judicial Body—he was in favour of placing the police under the control of a committee of magistrates, instead of handing them over to a committee of elected Councillors. He was quite aware that there were many objections to the compromise which had been offered by the Government. He knew from considerable experience—having served for many years on the police committee of his own county—that there were questions of friction and of difficulty that might arise; but, on the other

hand, he preferred the compromise proposed by the Government to the Amendment proposed by his right hon. Friend the Member for Great Grimsby. He thought the Committee ought to view the matter as a very serious one. They need not only look to Ireland; but there were, unfortunately, other parts of the United Kingdom where popular feeling or popular excitement for the moment might interfere most unjustly and most unfairly with the practical administration of the law. [*Cries of* "Where?"] If hon. Gentlemen asked him "Where?" he should like to recall their attention to the position of affairs in many of the Welsh counties. The point was that it was the law; and the law, until Parliament thought fit to abrogate it, should be maintained. This was no question whether the law was just or unjust; and hon. Members were returned to that House by a democracy in their constituencies, and if the law was unjust they should get Parliament to repeal it, but as long as the law existed it was the duty of the Executive, with complete impartiality, to see that it was carried out. What he objected to was that they should be asked to offer any opportunity or means by which in times of excitement, or in the passion of the moment, the laws might be defeated, and their administration be obstructed by pressure being put on the police, and the police prevented from carrying out their first and primary duty. Before he sat down, he desired to say that if the police were to be prevented from performing that duty, experience had repeatedly shown that the only force on which the country could rely was one which it was most invidious and objectionable to use in such circumstances—namely, the military.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Sir, I am afraid that I shall not be able to keep the debate on so high a level as that to which it has been raised by my noble Friend (Viscount Lymington), who, according to his speech, seems to imagine that the real question at issue is not the control of the police, but that, at all events, the important consequential question is the dismemberment of the Empire. The touching appeals which the noble Lord has addressed to those whom he calls Unionists shows that he is duly impressed with the magnitude of the subject we are now discussing The challenge of the noble Lord is very serious, because he says no Unionist will support the proposal except the renegade who proposed it. But my noble Friend will find there are more renegades than one, for the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) had, in debating this very Bill, stated that he objected to the proposal of Her Majesty's Government, and that his vote would be in favour of placing the police under the control of the County Councils. Having now done justice to the lofty and statesmanlike elements which my noble Friend has introduced into the debate, I will descend to the more humble mode of conducting the discussion, which I think the Committee will be content to pursue. I regret that in some speeches—not from the Treasury Bench—an element of suspicion and distrust has been introduced. It has been stated, with a good deal of tact and caution, by the hon. Baronet opposite, and with much greater courage by the hon. Member who followed him, that they cannot really trust popularly elected Bodies with the administration of the police in connection with the maintenance of law and order. I venture to express the confident conviction that when the right hon. Gentleman the President of the Local Government Board comes to defend the proposal, he will not found his defence upon any such ground as that a representative Body cannot be trusted in this matter, because, if no representative Body can be trusted, how deplorable is the position of the inhabitants of the great towns, who amount to half the population of the country, and who are in the most serious danger in respect of life and property in consequence of the arrangements made for giving them the control of the police. I have no mistrust of anybody in this matter. I am far from saying that the magistrates have misused their powers in this respect; and it is not because they have mismanaged the police, but because I think that the plan proposed by my right hon. Friend is more excellent, more historical, more traditional, more Conservative, and more agreeable to the ancient usage of the country that I shall heartily support his proposal. I must say one word, however, with regard to the magistrates. They are a

Judicial Body, and I do not think that as a Judicial Body they are particularly well qualified to exercise control over the police in the matter of the Game Laws. I think in that respect their control of the police might be attended with a certain amount of injurious effect. I am far from making any imputation on the magistrates; but I doubt very much whether the magistrates, personally concerned as they are to so large and special extent with the subject-matter of the Game Laws, are on that account the best chosen authority for the control of the police. However, I do not want to put the case on that ground. But the right hon. Gentleman said yesterday that he had an apprehension that the Bill was likely to lead to expense. Well, Sir, I am afraid that is not altogether a chimerical apprehension. We are now going to create a separate Body for the management of the police. But every new Body means new expense, and upon the ground of economy, if that were the only ground, I shall certainly prefer a plan which keeps the police under some Body which is about to exist for other purposes, than a plan which creates a new Body for the sake of this arrangement. I think, however, what has been said in this and in former debates is of very great importance. We are now about to create new offices of considerable moment—at least, new offices which we wish to wear considerable dignity, and we can only invest them with dignity by giving them special functions. And, for my part, I own to the desire of giving to the County Councils every duty which it cannot be shown that they are disqualified from performing, or which it cannot be shown that they will perform worse than others. It is most important that in creating these County Councils we should not run the risk of setting up in any shape whatever offices of great prominence which, at the same time, will not be sustained in the mind and view of the people by adequate duties; because the immediate consequence would be that the quality of the men who will seek election will infallibly and very seriously decline. The County Authorities in my own recollection have had no connection whatever with the police. At the time when I came into Parliament there was not the slightest connection between the county and the police. The police were a parochial affair; they were appointed parochially, such as they were. No doubt they are defective, and require to be improved; but they are not defective because they are appointed under a representative authority. Go as far back as you will in history, and you will find that the management and appointment of police, as well as the responsibility for the maintenance of life and property, was admitted to be one of the very first and most essential functions of self-government. In my opinion, self-government without the maintenance and control of the police, and without responsibility for the preservation of life and property, is a mere skeleton or phantasm of self-government. And how came the magistrates to exercise the functions that they now exercise? Simply on this account — that it was thought right, very properly, to put the county police on a new and better footing, and there was no other County Authority whatever to whom, except the magistrates, the management of the police could be entrusted. When I come to a case like that of the Municipality of London, where there are 4,000,000 people to be protected in person and property, it may be wise to adjourn for a reasonable time the transfer of the Police Authority; but, unquestionably, in principle, in my opinion, whether it be in London, Liverpool, Birmingham, Glasgow, or elsewhere, the normal and the permanent arrangement—nay, the only arrangement—agreeable to the ancient usages of the country, is an arrangement which entrusts to the inhabitants, and the representatives of the inhabitants, the appointment and the control of those who are to see to the security of life and property. I earnestly contend that that is not only a tolerable, enduring, and allowable mode of securing that life and property, but that it is the best of all modes.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.): The importance of the question now before the Committee is, I think, fully recognized by us all. The right hon. Gentleman opposite has adverted to ancient usages; but I do not think that we should derive much benefit in respect of this discussion from the system of parish constables. The old police of the country was of

the most imperfect and inefficient kind. But I think I could show that the police force, such as it was, and totally inefficient as it was, was not entirely divorced, as this proposal would divorce it, from something of judicial authority. The old parish constable was under the authority of the Court Leet, and, primarily, he was the servant of the law, and not the servant of a merely public body, such as the Vestry, or any elective body. Judicial authority of some sort has always been deemed necessary in this matter, and to divorce them wholly from such authority would not be wise or expedient. There is a great deal of truth in what the right hon. Gentleman said—namely, that when the ancient and parochial system of police was set aside and superseded, there was no other visible body in the country to whom the management of the police could have been committed, except Quarter Sessions; but I apprehend that if the Acts dating from the beginning of this Reign were carefully looked at, that was not the only consideration which guided Parliament in the matter. Is it true that we can expect greater impartiality and calmness and more judicial temper in the administration of the law from a purely elective body than from the magistrates, or a body in which the magisterial element has its influence? I think not. I agree that a poacher in some parts of England has not much chance if he comes before a preserver of game; but it does not seem to me to touch the sort of control which we think it desirable to keep up. Though I am far from saying a word that would imply distrust of an elective body that had the confidence of the people, yet I do think the influences which operate on an elective body is a matter to be borne in mind. It is impossible that they should not be swayed not merely by a general sympathy with the people, which is a good thing, but by sympathy with temporary gusts of popular feeling, which is not always a good thing, and may lead to uncertainty in respect to the administration of the law. No doubt, when prejudice, passion, and feeling come into collision with some particular law, and when a special law becomes unpopular, a great gust of popular feeling arises which does not represent the true feeling of the country, but only the passion of the moment; and it must be recognized that a body of men dependent for election on the sympathy of the masses may be less able to resist that gust of feeling than the magistrates. An hon. Member opposite spoke of the manner in which the Watch Committees of the boroughs administered the police. I admit that it deserves admiration, but when the hon. Gentleman said there was never any disturbance of law and order in the boroughs, I would point out that——

SIR WALTER FOSTER: I said that certain breaches of the law which had occurred lately could not have arisen under the borough system.

MR. MATTHEWS: I do not know what the hon. Gentleman has in his mind at this moment, but I think the hon. Gentleman has forgotten the incident at Cardiff. I do not think electioneering influences are desirable things to introduce into the administration of the police. Can it be said that because there are magistrates in one county who are not in sympathy with the people, that where they are drawn from the people, they do not represent all classes and ranks of life? Such a position cannot be maintained. What, then, is there to lead us to say that they are not to have any share in the enforcement of the part of the law which is committed to them here? It seems to me that this Bill, in offering to the County Councils a joint share in the management and administration of the police, is as large a concession as can reasonably be made on this subject. The whole system of the financial part of the administration is committed to the care of the County Councils, and the various duties they have to perform are certainly sufficient to satisfy the ambition of any man likely to become member of a County Council without the extraordinary course of putting the whole force responsible for law and order into the hands of a purely elective Body.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton) said, he felt bound to say a word or two with regard to the observation of the Home Secretary that it was a matter of importance that the police should be under the control of the judicial authorities. He took exception to that observation as a matter of principle. If there was any authority which would do its work better by being confined strictly to its own duties,

for very obvious reasons it was the judicial authority. And when the noble Lord behind him (Viscount Lymington) shrank from supporting the Amendment, because it would be setting up a bad example for Ireland in the future, when he asked whether they would hand over the control of the police in Ireland to elective Councils, he (Sir George Trevelyan) would ask him whether he was ready to accept the alternative, and hand over the control of the police in Ireland to the Justices of the Peace? But they need not go to Ireland. Let them look at Scotland, where law and order were maintained, and in no part of which were the police under judicial authority. They were under the Commissioners of Supply.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, he was in a position to state the exact contrary. The police force in Scotland was under a judicial authority—namely, the Sheriff of the county.

MR. DONALD CRAWFORD (Lanark, N.E.) said, with the greatest deference to the right hon. and learned Lord Advocate, he wished to say that the right hon. and learned Gentleman was in error. The Sheriff had, no doubt, a voice in the control of the police, but no one knew better than the right hon. and learned Gentleman that the Sheriff had two distinct functions, one judicial and the other representative of the Crown. It was not in his judicial capacity that he was connected with the police.

SIR GEORGE TREVELYAN said, he thought the Lord Advocate by his interruption had not attained the end which in a moment of hurry he had in view—namely, for throwing doubt on his argument. The Chief Constable in a Scotch county was selected by a Committee of the Commissioners of supply, who were not judicial persons. He would, however, pass from the counties to the boroughs of Scotland, where law and order was preserved, sometimes in the most trying circumstances and in the most admirable manner, by the police who were under an elective authority, not only such as they had in English boroughs, but such as they were now desirous of establishing in the counties. What great city was there in which they could imagine it more difficult to keep order than in Glasgow? And yet its police were most admirably managed by a purely elective Council. In addition to its great floating population, there was in Glasgow a large imported population from Ireland, belonging to the two conflicting parties in that country, but the police discharged their duties in a manner which was unsurpassed in any other part of the country, and they were under an elected authority which contained no Aldermen or selected Councillors. In his opinion, the more purely elective they made their authority the more they would bring on the side of the authority those moral forces which were the basis of law and order. He believed there was much less danger of favouritism and jobbery in an elective than in a nominated Body. Of all important concessions that could be made in the shape of self-government, almost the most important was the disposal of offices of responsibility and emolument, and he believed that this had, perhaps, as much to do with the question to which the noble Lord behind him had referred as any other part of the question. They were going to give Home Rule to counties, and were they to keep from them about the best and most important piece of patronage in the counties? In Northumberland, on the election of Chief Constable, after a committee of magistrates had carefully selected three candidates, a majority of the magistrates, from personal motives and under personal pressure, appointed a candidate who proved to be a most unsuitable person, and whose appointment was most unfortunate for the county. He did not believe that would have been done if the great influence now exercised in the county by his hon. Friend the Member for the Blackpool Division of Lancashire (Sir Matthew Ridley) had at the time been exercised as extensively as it was at that moment. But the thing was done, and he believed it always might be done in any nominated Body, and it was for the purpose of preventing such abuses, as well as for the purpose of separating administrative from judicial functions, that he should vote for the Amendment.

MR. J. H. A. MACDONALD said, he had no intention of intervening in the discussion, but thought it right to make a short statement with reference to the management of the police in Scot-

land. It was perfectly true that it was not in his judicial but in his administrative capacity that the Sheriff of a county in Scotland took charge of the police in its administrative work. He took that to be true of every magistrate, but it did not alter the fact that, as in England, a judicial officer was entrusted with the control of the police; and not only had the Sheriff control of the police in a county, but, if at any time disturbance arose in a borough, and he came on the spot and took the steps necessary to put an end to it by means of the borough police, the magistrates of the borough could not interfere with his orders and directions. He was the executive officer of the State, and the responsible administrative official to take charge of the police in that capacity in all cases. His right hon. Friend referred to the fact that in the boroughs the police were administered by elective Bodies, but he ventured to point out that in that respect the right hon. Gentleman was entirely mistaken. The police were not under the orders of the borough council, but under the orders of the magistrates, who were gentlemen elected and chosen by the Town Council as Aldermen were in England, but had to take the position of judicial officers as well.

MR. DONALD CRAWFORD said, it was no accidental or verbal distinction which existed between the functions of the Sheriff as Judge and as the representative of the Crown in his county, and it was in the latter capacity only that he had certain authority over the police. The control of the police rested with a body of men who were in no sense a judicial body—namely, the Commissioners of Supply, who were qualified in virtue of certain property, and it was to a police committee, nominated by them, that the control of the police was entrusted, an arrangement which corresponded in all respects to the police in an English county. It was entirely a mistake to say that the control of the police was made dependent on judicial functionaries either in counties or boroughs.

MR. CHAPLIN (Lincolnshire, Sleaford) said, he did not wish to refer either to Scotland or Ireland in the few observations he had to make on this subject. All he desired was to submit one or two practical considerations in connection with the Bill, which related solely to England and Wales. In that light it appeared to him that there was a good deal of force in the objection taken by the right hon. Gentleman who moved the Amendment (Mr. Heneage) to the dual control of the police, and that being so there remained the choice between the County Councils on the one hand and the magistrates on the other. If they were to transfer the police to the County Councils, it would be acknowledged that that would be a very considerable change, and if it was to be made, the least hon. Members could do was to offer some serious reasons for making it. What reasons had been given in the whole of the discussion? The right hon. Gentleman the Member for the Bridgeton Division of Glasgow (Sir George Trevelyan) had, by way of illustration, cited a certain case which he said occurred in Northumberland. He (Mr. Chaplin) was unable to speak on that subject from personal knowledge; but he believed it was a solitary instance, probably the only one which could be quoted. [An hon. MEMBER: No, no!] Then he hoped they would have other illustrations, because the right hon. Gentleman went on to say that there was less jobbery in elective Bodies in appointing to important offices than there was in nominated Bodies, and he was bound to say that, so far as he and the great majority of the Committee were concerned, that was totally opposed to their experience. Was it pretended that the administration of the police, as conducted by the magistrates in the past, was to be generally condemned? They had heard something from the hon. Member for Chester about the scandalous administration in the past, but he believed the hon. Gentleman stood alone in the assertion he made. The right hon. Gentleman the Member for Derby (Sir William Harcourt), last night, expressly repudiated the making of any charge against the magistrates, so far as their duties were performed, although he complained of the manner in which they were appointed; and that repudiation was re-affirmed that day by the right hon. Gentleman the Member for Mid Lothian. The right hon. Gentleman made some remarks in connection with the Game Laws; but he expressly guarded himself against making any imputation against the magistrates. That being so, he (Mr. Chaplin) was

bound to come to the conclusion, which was a perfectly fair one, that up to the present time no good reason had been advanced for making any change in the system which by general, if not by universal, admission was acknowledged to have worked well up to the present time. Who was in future to be responsible for the administration of the law—the County Council or the magistrates? There was no question that for some time it must be the magistrates in whose hands the responsibility was to rest. Why, then, should they be deprived of the means of discharging the responsibility? The right hon. Gentleman the Member for Mid Lothian made a somewhat sweeping assertion when he said that the County Council ought not to be entrusted with every duty unless it was shown they were qualified to undertake them. But how were they to prove a negative? How were they to prove they were disqualified for duties until they had shown themselves unfit to perform them? He would rather put it in the other way—reversing the contention of the right hon. Gentleman—and say, "Give to the County Councils, and impose upon them every duty that you like, as soon as it is shown that they are qualified to perform them." He was opposed to binding these new Councils with too many and too onerous duties until, at all events, they had had an opportunity of seeing how these bodies performed their duties. He hoped that when his right hon. Friend (Mr. Heneage) went to a Division, and he supposed that his right hon. Friend would go to a Division, they—on the Ministerial side of the House—accompanied by a great number of good Friends on the other side of the House, would go solid against the Amendment. Then, when the Amendment was rejected, it would remain to consider at a future time whether the control of the police was to be entrusted to the authority contemplated by the Government in the Bill, or whether it should be left, as in his opinion it ought to be, in the hands of the magistrates as at present.

Mr. JAMES STUART (Shoreditch, Hoxton) said, there were some on the Opposition side of the House who regarded this matter as inferior in importance to none in the Bill. He, for one, must express his surprise that the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) was not in his place to take what he (Mr. James Stuart) regarded as the popular side, at any rate, upon this important matter. He listened with astonishment to the speech of the right hon. Gentleman the Secretary of State for the Home Department (Mr. Matthews), and to that of the right hon. and learned Lord Advocate (Mr. J. H. A. Macdonald). He listened with astonishment to those speeches, because in them what the right hon. Gentleman seemed to argue in favour of, was the *status quo* in respect to the police. He was astonished that those two Gentlemen were prepared to support the proposal of the Government contained in this clause. If it was desirable to remove the police from the danger of popular control, which was really the essence of the speech of the right hon. Gentleman the Home Secretary, surely, then, the argument was that the police should remain as they were, and dead against the proposal of this Bill, which was to put the police under a joint committee of the two Bodies specified in the Bill. It ought to be borne in mind why the police were placed under the Quarter Sessions. If they looked through the country it would be seen that the police had, by the wisdom of Parliament, always been placed under the control of the Body most nearly representative of those among whom the police acted. In the boroughs they were put in the hands of the representative Body, and the boroughs were the only places where they had representative Bodies; in the counties, the nearest approach to a representative Body was the Quarter Sessions. In the case of London, they found that the very reason for not putting the police under the control of any Body short of Parliament was given by Sir Robert Peel at the time of the passing of the Metropolitan Police Act, and the reason given was this, that there was no representative Body in the Metropolis in whose hands the control of the Police Force could be placed. Now, why he and his hon. Friends argued that the police should be put in the hands of the Councils, was that Parliament was creating a representative Body in the counties where no representative Body had hitherto existed. If the Government followed, as nearly as they could, the conditions which had been

laid down previously, they would place the police in the hands of the new Bodies. They need not go very far from their own doors to see the evils which arose when the police were entirely managed by some Body away from and outside the people. He asserted, without referring in detail to a matter which he would have to refer to again,—he meant the question of the London police—there was no place in England where the control of the police was more removed from the people than London, and there was no place in England where there was more dissatisfaction generally in connection with the police. He did not put that at the door of the police, but at the door of the method of their control. If they went over the water to Ireland, where they found nearly continual the conflict between the people and the police, the police were controlled from a great distance. It had been noticed by people coming to this country how ready the people were to assist the action of the law. People here assisted the action of the law because they knew the control over the execution of the law emanated, to a very great extent, from among themselves, much more, at any rate, than it did in other countries. Even as the police were now constituted, in the counties they were more under the control of the people than they were on the other side of the water. The right hon. Gentleman the Home Secretary spoke as if a popularly elected Body would be subject to the whims of every passing impulse, and as if the Justices of the Peace or the Commissioners of the Police in London were Bodies of persons who, like the gods, were entirely free from the influence of human affairs. They needed to go no further than London to see that the controlling Bodies were certainly not altogether free from the pressure of certain prejudices, and he asked the right hon. Gentleman the Home Secretary whether there were not as many instances of unelected Bodies, controlling the police in this country, being affected by passing events as there were of elected Bodies? Although a previous speaker had referred to some temporary difficulty at Cardiff, that was altogether exceptional. The borough police of this country had, as a whole, been well conducted and managed, and, as a whole, had been free from those influences which the right hon. Gentleman the Home Secretary sought to attribute to the police in the counties if they were made subject to popular control. If the right hon. Gentleman feared popular control in that way, why did he introduce popular control in the Bill to the extent it was introduced? He (Mr. James Stuart) had abstained intentionally from entering into the question which affected Londoners more than any other body of persons—namely, the relation of the police in London to the people. He had done so because the question would come up again for discussion. He dealt with the matter on general grounds, and he repeated that there was no question which to him was of more importance, there was none which required more discussion, there was none on which he and his hon. Friends would criticize more closely the votes of those Liberals who sat upon the Opposition Benches, but who generally voted with the Government.

COMMANDER BETHELL (York, E.R Holderness) said, he thought it was very unfortunate that the right hon. Gentleman who had moved the Amendment (Mr. Heneage) had coupled together two subjects, each of which seemed worthy of discussion. These subjects were the control of the police and the appointment of the Chief Constables. His sympathies were entirely with the right hon. Gentleman in the one; in the other they were entirely opposed to him. His right hon. Friend the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) in his speech just now, pointed out that no one had shown any reason to suppose that the County Councils would be capable of undertaking the duties proposed to be entrusted to them. But he would point out to his right hon. Friend that when they were constituting a new and great Body like the County Council there ought to be some strong reasons shown for withholding from them a duty so important as the duty of controlling the police. He held that the more power that was given to these assemblies, the greater would be the position they would occupy in the county. Nor did he believe there was any reason whatever to suppose that popularly elected Bodies had any sympathy at all with disorder. There were exceptional cases, no doubt, but he thought it could be shown that elected bodies generally did exercise with rigour the

executive powers entrusted to them in the direction of suppressing disorder. He must say there was one difficulty which presented itself to his mind—it was one of those anomalies, however, which he supposed were frequently found in our system. The magistrates of a county were responsible for the peace of the county, and it certainly did seem an anomalous condition of things to deprive them of all power of keeping the peace. As a matter of fact, the same circumstances existed at present in the boroughs, and although it was an anomaly, it was one of those which had been found to work well. Therefore he supposed it might be equally applied to the counties. That was the only consideration which seemed to be against placing the control of the police in the hands of the County Councils, but he should not oppose the proposal on that account. He desired, however, to say a word in reference to the appointment of the Chief Constables. That appeared to be a matter of much greater importance. He did not believe the appointment of any high official could be satisfactorily made by any large body whatever, by the Quarter Sessions or the County Council. He had been informed by various people who were familiar with the working of Quarter Sessions that when the appointment of a Chief Constable came up it did happen that gentlemen who did not usually attend the Sessions turned up in considerable numbers. He did not think there was any reason to suppose that County Councils would be any freer than Quarter Sessions from this peculiar fallibility of human nature. Personally, he thought elected Bodies were much more likely to be swayed in that direction than Quarter Sessions; his belief was that Chief Constables ought to be appointed by some individual, be he the Lord Lieutenant or the Home Secretary, with the power of removal by address from the County Council; and he had a strong suspicion they would get better men in that way, and that there would be, by address from the County Council, a check upon the appointment of men who were not fit for the office. He was, under these circumstances, in some doubt as to the way he ought to vote. He had to weigh in his mind which was the more important feature of the case—the appointment of the Chief Constable or the control of the police. He was bound to say that, on the whole, the control of the police being placed under the County Councils was of more urgent importance than the appointment of the Chief Constable, and it would, therefore, be his unhappy fortune on this occasion to dissociate himself from very many of his hon. Friends.

MR. HENRY H. FOWLER said, he thought there was a little confusion in the debate arising from the mixing up of the administrative and the judicial control of the police. The Committee would see the essential difference if they would allow him to recall to their minds what was the position of the police both administratively and judicially in the boroughs of the Kingdom. He knew nothing about the law of Scotland, but he knew how the police were administered in the boroughs with large populations. The administrative control of the police in those boroughs was in the hands of a Watch Committee appointed by the Town Council of the borough, and if the contention of the right hon. Gentleman the Home Secretary was correct, that the proposal of the right hon. Gentleman the Member for Great Grimsby (Mr. Heneage) amounted to a divorce of the police from all judicial control, the greatest sinner in that respect would be the borough which the Home Secretary had the honour to represent, in which he ventured to say the police were as well and as efficiently managed as they were in any county in England. But in boroughs there was also judicial control of the police, the judicial control to which the right hon. Gentleman the Home Secretary alluded when he went through all the various processes of issuing summonses controlling the action of the police with reference to the preservation of the peace, and that maintenance of law and order to which so many hon. Members had alluded. That was in the hands of the magistrates, and was not in the hands of Town Councils. If they went into the counties, they found the magistrates exercised a two-fold jurisdiction. As the magistrates are responsible for he maintenance of law and order, they controlled the police in the exercise of those functions to which the right hon. Gentleman the Home Secretary had alluded; but the administrative control of the county police was in the hands of the Police Committee of the county, which

was appointed by the Quarter Sessions, and really he did not suppose for one moment that the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) would contend that that was a judicial function at all. That was a purely administrative function which the magistrates had discharged with great efficiency and economy. The point, therefore, was not whether they were going to transfer what was judicial, but whether, when they were setting up in the county a popularly elected Body, who were to have control of the expenditure of the finances, they should not place that elected Body in precisely the same position in regard to the administrative control of the police as Town Councils were placed in the boroughs. Of course, they might argue from theory or from experience; they might argue that a nominated Body as magistrates were a better Body for exercising these functions than an elected Body; but the whole theory of the Bill was that it was desirable to transfer the administrative functions of nominated Bodies to the hands of elected Bodies; and the arguments which had been addressed to the Committee against elected Bodies applied not only to this clause, but to every other clause of the Bill. If they wanted to judge from experience they must take the experience of the large boroughs. He was surprised to hear the right hon. Gentleman the Home Secretary raise some doubt about the administration of the police in large boroughs. Birmingham, Manchester, Leeds, Liverpool, had all larger populations than most of the counties; they had a larger number of police, and they had a more difficult population to deal with. They contained large numbers of the criminal classes, and they were subjected to what had been called popular gusts of feeling. Yet no one had ever complained that the administration of the police there had been ineffective or unsatisfactory, or that in any way the administration of law and order had been prejudiced by being placed in the hands of the elected representatives of those boroughs. The right hon. Gentleman the Home Secretary alluded to the case of Torquay; he (Mr. Henry H. Fowler) intended to quote that as an illustration of his point. There the police were in no way interfered with by the elected Body. The elected Body was the prosecuting Body in that case, and the police were perfectly independent. Speaking from his own experience in a Watch Committee, the police, in the discharge of their functions, in the preservation of Laws, were not interfered with by the Town Council. For all purposes of the maintenance of law and order the police were under the control of the magistrates. If any question arose the magistrates communicated with the Home Secretary, and if it was necessary action was taken through the magistrates. All that the supporters of this Amendment argued was that the administration and financial control of the police and the patronage of the police should follow the administration and financial control of all the other business of the county. The hon. and gallant Gentleman the Member for the Holderness Division of York (Commander Bethell) referred to the question of the appointment of the Chief Constable. He (Mr. Henry H. Fowler) thought he could show to the Committee, if they could go through the various elections which had taken place, that the election of a Chief Constable in a large borough was not conducted on those principles of popular election which prevailed in counties. The appointment of a Chief Constable—say, at Birmingham, or any other large town—vested in the hands of the Watch Committee, which was a small Body. There had just been a Chief Constable elected in Staffordshire, and the election had aroused as much interest among the magistracy as a Parliamentary Election Votes had been sought East and West, and North and South. He had no doubt the Quarter Sessions elected the very best man, but to say that there had been anything of a judicial character in the election proceedings was to caricature judicial functions. The principle which underlay the whole of this question was, were they prepared to maintain that constituents who were competent to elect men to sit in the House of Commons to control all the naval and military expenditure, and to control the policy of the Empire, were incapable of electing a Body of men in order to control financially the police force in the counties in which they lived. If popular election was worthy of the name, if popular government could be trusted to any extent, it surely could be

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trusted to the extent which the very small Amendment of the right hon. Gentleman (Mr. Heneage) proposed. He (Mr. Henry H. Fowler) trusted the Government would accept the Amendment, and that they would not maim the Representative Councils of the Counties by depriving them of functions which similarly elected Bodies in great towns had efficiently discharged for upwards of half a century.

MR. RITCHIE said, that what they all desired was that now they were constituting new county authorities they should make adequate provision for the maintenance of that force which had the preservation of law and order in its hands in a state of efficiency. The right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) had drawn an analogy from the case of towns, and had endeavoured to prove from that analogy that they would be perfectly safe in dealing with this question of the police in the counties in precisely the same manner as had been for a long time past done in towns. But he (Mr. Ritchie) had ventured once before in discussing this question to point out that, in the opinion of the Government, there was a very marked and wide difference between a borough and a county for purposes of this kind. He ventured again to press upon the Committee that there was that very real distinction, a distinction which made it essential that they should consider this question of counties altogether apart from the question of how the matter was arranged in the large towns for which the right hon. Gentleman was no doubt competent to speak. What was the position in large boroughs, at Birmingham, and Liverpool, and Wolverhampton? It was perfectly true that the administration of the police was in the hands of elected Bodies, but he was sure the right hon. Gentleman (Mr. Henry H. Fowler) would acknowledge that the representation of individual interests in the borough he represented was very much more complete than it was possible for them to hope for in the case of the smaller areas over which the County Councils would have to exercise control. The Town Councils of the large boroughs consisted of a very large number of representatives; they were elected in considerable number from all parts of the borough, and they represented all sections of the community within the borough. A borough itself was a comparatively small area; although the population was large it was confined within a very limited space, and the condition of affairs in every part of the borough was within the knowledge of all the members of the council having to administer the police who had the care of law and order. But what was the condition of things in counties? They had a very large number of districts in the counties, some of them rural, some of them municipal boroughs, and if they were to follow out the analogy of the boroughs, the fit and proper system would be not to give the control of the police to the County Councils at all or to any Joint Committee, but to have a separate police force for all the various districts over which the District Councils which were to be created should have separate administrative control. But the right hon. Gentleman did not propose that, and no Member of the Committee had proposed it. What the right hon. Gentleman proposed was that the County Council—which was elected from a very large area, an area which contained many smaller areas often very widely scattered, and very often in no sense connected by interest or association—that they should give to the County Council which represented all the various places in the county the control of the police for the whole area of the county including both rural and urban districts. Now, in some counties the area was so large and the population was so great that the number of representatives which were to be retained in order to make a workable Council compelled them to limit very much indeed the number of representatives to be returned from the various areas, and many of these areas, some of them boroughs, some large urban districts, others rural districts, would only return one or two members. Now, under these circumstances, he did not think that it could be in any sense considered that the representatives of these districts or the ratepayers of these districts could have that complete control over the police force which the ratepayers of a borough had over their police force. That being so, and the county itself consisting of a very large area of very scattered population, and a very large number of districts, hardly any one of

which had connection with the other, they considered that the Representative Council of that county was not in the same sense as qualified to efficiently represent all the various communities, as able to give that same kind of control over the police force as a Town Council of a borough was. These things considered, let him observe what, in the opinion of the Government, was the best means for providing for the adequate administration of the police force. They found that hitherto it had been entirely in the hands of the magistrates. They recognized at once that, having set up a great Representative Institution, they could not propose in the House of Commons that the representatives of the people duly elected were to have no control over the administration of the police force, but they considered that, having set up an entirely new Body under the circumstances he had named, it would not be wise to put the entire control of this force which was responsible for law and order throughout the great county area under the new Body. They, therefore, thought it was a perfectly justifiable proposal that along with this new Body they should associate the old body which had for so many years adequately performed its duties respecting the administration of police. He did not anticipate that there was at all likely to be any conflict whatever in connection with this matter. He knew that some of his hon. Friends thought that possibly there might be some conflict between the two component parts of the joint committee, but the Government did not think there would be anything of the kind. There were many joint committees at the present time, some of which had been mentioned before, where nothing like the conflict which had been spoken of arose, or was likely to arise. The sole and only desire of the Government had been, in handing over to the new Authority these large powers, to obtain efficiency. There had been no question whatever of suspicion on their part of the newly-elected Bodies. It would, indeed, be a sorry compliment to these great Bodies, which the Government, as their authors, would be naturally the last to pay, if they were to say that they had a suspicion as to the way in which they would exercise their authority. What they were seeking to obtain was a Body so composed as would in their opinion be the best for maintaining in efficiency the police force; and in associating the old and new Bodies for that object, they thought they had arrived at a solution of the difficulty which met exactly the requirements of the case, and which did not in any shape or form reflect the smallest discredit or suspicion upon the new Authorities.

MR. BOWEN ROWLANDS (Cardiganshire) said, he confessed he was unable to follow the arguments used by the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) to show the difference between the new Councils as the representatives of the interests of the counties and the Watch Committees and Town Councils as the representatives of the interests of the boroughs. As he was unable to follow the course of the right hon. Gentleman's arguments, he did not intend to attempt any refutation of them. He hoped that the Government would carry out loyally their expressed intention of endeavouring to make the County Council as representative a Body as circumstances would allow, and, in his opinion, as far as it was representative it warranted the analogy which had been drawn between its functions and these of existing Town Councils. On the general question he did not know whether one ought not to sympathize with the Government in this matter, because they seemed to him to be anything but at one with their supporters. While the Government professed to be actuated by no distrust of the Bodies they proposed to set up, the speeches of their supporters behind them had breathed an entirely contrary spirit. The Committee were told by the hon. Gentleman the Member for the Oswestry Division of Shropshire (Mr. Stanley Leighton) that an elected Body was not in favour of law and order. He (Mr. Bowen Rowlands) did not know in what quarter the hon. Gentleman had pursued his historical researches, but they must have been in quarters entirely misleading. If there was one charge more than another as to this matter which had been urged against republics and elected Bodies generally, it was that they had been too arbitrary in the exercise of the powers conferred upon them, and had put down with too strong a hand any attempted invasion of the rights and authority of which they believed themselves to be

possessed. He saw in the present proposal of the Government a gloomy foreboding as to the way the Body which the Bill called into existence would exercise their functions. While the Government were prepared to confide lunatics, the most helpless part of the community, to the care and consideration of the County Councils, they considered that if they entrusted to them the administration of the police force they would be putting power into the hands of persons who knew not how to use it. The right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) had rebuked certain hon. Gentlemen who sat behind him in no uncertain tone. He had argued that it was impossible to prove a negative. He had argued that because there was no proof as yet to show that the new County Councils were fitted for the duties conferred upon them by the Bill, the control of the police should not be given to them. That was another example of the forebodings which they had heard uttered in dismal tones by some of those who had spoken from behind the Front Government Bench. If they pursued the argument of the right hon. Gentleman the Member for the Sleaford Division to its logical conclusion they would give these County Councils no duties at all. They were not, according to the right hon. Gentleman, to be entrusted with duties until they had shown their fitness to discharge them; but that could not be shown until they had had duties to discharge. This language of the gloomy prophets contrasted very strongly and markedly with the language of the right hon. Baronet the President of the Board of Trade (Sir Michael Hicks-Beach), who looked with a cheerful countenance to a not far distant period, when all, or nearly all, the functions of county government, would be vested in these new Bodies. The noble Viscount the Member for the South Molton Division of Devon (Viscount Lymington) had referred to Ireland and Wales. He (Mr. Bowen Rowlands) did not think that the tithe riots in Wales was a very happy instance for the noble Viscount to select, because the tithe disturbances occurred at a place where the police were under the control of the county magistrates. The right hon. Gentleman the Secretary of State for the Home Department (Mr. Matthews) had alluded to disturbances which had taken place in Cardiff. He (Mr. Bowen Rowlands) was unable to see how the case of the disturbances at Cardiff helped the argument of hon. Gentlemen opposite. At Cardiff an inquiry was held into the conduct of the police on a certain occasion. It was not for him to criticize the capacity of the tribunal which investigated the conduct of the police, nor to say anything in regard to its findings; but how an inquiry into the conduct of the police in a borough could assist the argument that the control of the police was not to be given to the County Councils, he was at a loss to understand, especially in view of those instances which were given by the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) showing how admirably the control worked in the larger towns and boroughs throughout the Kingdom. It was far from his intention to do anything to delay the Committee in arriving at a conclusion by a vote upon the question; but there were one or two other matters he wished to refer to. It was a curious fact, with regard to the control of the police by the authorities in boroughs and the authorities in counties, that in the disturbances which took place in Cardiff (and he believed it was also the case at Belfast) it was to the police who were imported from outside that the bulk of the disorders were mainly, if not altogether, attributed, and not to those who were under the control of the authorities within the borough. That was another instance which went to support the argument adduced on the Opposition side of the House; but among the gloomy pictures drawn on the other side, there was one bright spot shown by the hon. and gallant Baronet the Member for North-West Sussex (Sir Walter B. Barttelot). The hon. and gallant Baronet gave as a reason for the continuance of the present system that everybody in his district was desirous of being a magistrate; this might be true and might be an example of well or ill regulated ambition, but it proved nothing that could be of service in this discussion. The complaint they had to make in Wales was that magistrates were almost invariably selected from one class of people, and persons who were fairly entitled to a seat upon the Bench

were denied the position by those who had the power of appointment. The right hon. Gentleman the Home Secretary had referred to the enforcement of the Game Laws by magistrates, and had appeared to confess that it was not all that could be desired. But his (Mr. Bowen Rowland's) and his hon. Friend's complaint was not by any means restricted to the hearing of cases under the same Laws, but rather as to the employment of police as additional gamekeepers. There was a Statute which prevented gamekeepers being constables, but the action of the magistrates really turned constables into gamekeepers. He was not there to make any special charge against the magistrates, although he was obliged to confess that their training and prejudices disposed them to run in one groove. On the grounds he had enumerated, he hoped the Committee would grant full control of the police to the County Council.

MR. STANSFELD said, the right hon. Gentleman the President of the Local Government Board had had, he thought, a difficult task, and he had not been perfectly successful in fulfilling it in endeavouring to justify the scheme of the Bill in regard to the control of the police, because the measure of the right hon. Gentleman was founded on the precedent of the Municipal Corporations Act, and everyone knew that in the Municipal Corporations the police were under the Town Council, and not under any mixed Committee or under any foreign Body. How did the right hon. Gentleman endeavour to justify and account for the proposal in his measure? As far as he (Mr. Stansfeld) could understand it, the right hon. Gentleman endeavoured to draw a distinction between the boroughs and the counties with respect to the management of the police. He had said, in the first place, that if they were to go by analogy they ought to confer on District Councils the superintendence and management of the police; and he added that the County Councils were not as distinctly and as definitely representative Bodies as the District Councils were, or might be, in regard to the question of police. But what was his proposal? To give the superintendence of the police and the patronage of the police to a Body which was less representative than the County Council itself. There was no justification, it seemed to him (Mr. Stansfeld), for that argument. Then the right hon. Gentleman went on to say that the County Council was in some respects less fitted than the Council of a borough to undertake these functions. When the Municipal Corporations Act was passed, what experience had the Councils which were created for the first time under that Act? Besides, the County Councils of the future would be largely, and perhaps mainly, composed of the very men, or, at any rate, the class of men, from whom magistrates were chosen, and who had peculiar experience in the management of police. It was no use casting doubts on the Councils which they proposed to create for popular government in the counties, unless they could justify those doubts, and he asserted, without fear of contradiction, that the conditions of the case were such that the future County Councils would largely consist of county magistrates, and almost exclusively consist of owners of property and county gentlemen, from which classes of the community magistrates were chosen. Therefore, he maintained that on the ground of experience there was more reason for conferring on County Councils the administration of the police than there was reason when the Municipal Corporations Act was passed for conferring that power on the Councils which were thereby created. He wanted to give the Government to understand that they had come at length in this Bill upon what was a vital question, a question upon which they on the Opposition Benches felt deeply, and upon which their friends and constituents, and those who were politically in accord with them felt deeply; and he said this without fear or hesitation, that upon the conclusion to which the Committee came that day would depend largely the aspect in which the measure would be regarded by the people of the country, and that it would be impossible to avoid dissensions and political discussions, particularly with reference to that part of the measure. Now, the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) seemed to think that they (the Opposition) would find a difficulty in stating positively their reasons for objecting to the Government measures

or to the proposal of the hon. and gallant Baronet the Member for North-West Sussex (Sir Walter B. Barttelot) and of approving of the proposal of the right hon. Gentleman (Mr. Heneage), which they were discussing at this moment. He (Mr. Stansfeld) felt no difficulty in stating the views and principles by which he believed they on that (the Opposition) side of the House were guided on this subject. First of all, they objected to the very thing which many people seemed to desire—they objected to mixing judicial with executive functions. They objected to too close and intimate an alliance between the Judges or magistrates and the police, and they adopted entirely the lucid and unanswerable explanation and arguments which the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) had put forward so clearly, to the effect that what they desired was not to interfere with the judicial functions of the magistracy, or to take away from them any power which judicially they were entitled to exercise over the police in the county, but simply to place in the hands of a popularly elected Body, which was to pay for the police, the right of nominating and managing the police. The right hon. Gentleman the Member for Wolverhampton had placed in his (Mr. Stansfeld's) hands the words of the Municipal Corporations Act which referred to this subject, and the thing was perfectly plain. The words were contained in the 91st section of the Act, and it was plain from that section that the powers conferred on the Watch Committees of Town Councils were purely administrative, and that the police remained absolutely at the disposal of the Justices, who were entitled to call upon them to act. In the 2nd sub-section of that clause, he found that every constable should be liable to obey all such lawful commands as he might receive from any of the Justices having jurisdiction in the borough or in any county in which that constable was called on to act. Therefore, there was no difference at all between hon. Members on that and hon. Members on the other side on the question of the magistracy retaining all that power which might fairly be called judicial as distinct from the administrative power, and all that he claimed was that the measure, the principal object of which was to take away from the magistrates of counties that which was not judicial, but purely administrative, should follow that principle when they came to deal with the subject of the administration of the police. They on that (the Opposition) side of the House had another reason. They objected to the refusal to give the County Councils of the future that control over the police which the Borough Councils had, and which the Councils of Boroughs which were to be Counties were to have in the future. He thought it was a sorry compliment on the part of the right hon. Gentleman the President of the Local Government Board to pay to the County Councils, which he was instrumental in creating, to refuse them administrative powers which were vested in Town Councils by the Municipal Corporations Act. He (Mr. Stansfeld) ventured to think, or to suspect, that the right hon. Gentleman's feeling was not very strong against the arguments and the resolution which he (Mr. Stansfeld) was now advocating, and that it had been a matter of Party tactics and of concession to what might be called the Quarter Sessions element which had led the right hon. Gentleman to propose this compromise, which many even on the opposite side of the House did not think would work without difficulty and friction. But he (Mr. Stansfeld) should like the Committee to take a somewhat larger view of the matter, and would put it in this way. He contended that they could not do a more useful thing for law and order than to call upon the local representatives, freely chosen by the people, to administer the police, subject always to the right of the magistracy to call upon them when it might be necessary to do so. He had yet to learn the very A B C of Constitutional Government, if it was not a fact that if they wanted to rule the people with law and order, the people must be put on the side of law and order. Did not everyone know that looking back at the history of the Municipal Corporations of the country, how eminently successful the adoption in practice of that principle had been? There might have been occasions when there had been some difficulties to encounter, and when there had been some partial failure, but, looking at the question broadly and fairly, could anyone say to himself that any

other measure or proposal or method could have conduced so much to the successful observance of law and order in the big boroughs of this country as the principles and arrangements of the Municipal Corporations Act, which placed the police under the administrative control of the Town Councils? Why, it was common sense and common knowledge that about the best thing they could do with men was to set them to a good work—was to define their duty and set them to do it. Under such circumstances most men would do their duty. If an elective Body of men were given the administration of the Bill whether they were a Borough Council or a County Council, however popularly they were chosen, they placed them at once upon the side of the law, and infused into their minds a high sense of responsibility. There had been many occasions in the history of the Municipal Corporations of this country when popular feeling was strongly against the exercise of police power, but the popularly elected representatives of the people in the Councils had not hesitated in the fulfilment of their duties, and had called upon the police to perform theirs. He said, therefore, that if they would do the best thing for law and order, they would place the police entirely under the control—subject to the right by law of the magistrates to call upon them to act in certain cases—entirely under the superintendence and control of the County Councils. What he had noted, he must say with some surprise, was that the objection to the present proposal had sprung from the other side of the House—from the supporters of the Government who had brought in this measure. He would put it to the Gentlemen who opposed this proposal to invest the County Councils of the future with the management of the police—he would put it to them on what ground did they support the proposal to create County Councils, if they could not trust them? These County Councils would undoubtedly consist to a large extent of gentlemen who were magistrates at the present time. They would further consist of persons coming mainly from the class from whom the magistrates were chosen. Was it for hon. Gentlemen opposite to cast discredit and a slur upon their own class, and upon their fitness for the fulfilment of their duties, and to take refuge in the argument of the President of the Local Government Board, when he said that those duties which the Borough Councils and their Watch Committees had conducted and fulfilled with admirable success for half a century, those who would compose the County Councils were not fitted to perform. These were the views and the principles which they (the Opposition) entertained. They held the strongest opinion upon the subject, and they would vote upon it that day with the strongest and deepest conviction, and they would never rest satisfied, even if it were carried against them now, until they had reform, and had invested the County Councils with the same rights in regard to the police as the Borough Councils possessed.

MR. SWETENHAM (Carnarvon, &c.) said, he had listened with admiration to the very eloquent and theoretical speech with which they had just been favoured by the right hon. Gentleman the Member for Halifax (Mr. Stansfeld); but, with the permission of the Committee, he should like to recall it to a few dull, common-place facts. Now, let them just look for a moment at what was the proposal of the Government in this Bill. First, in regard to the position of the Chief Constable, it was proposed by the Bill that he should be retained, and that the power of appointing him should still rest with the County Magistrates; but before he dealt purely with the Amendment which they were now considering, he would draw the attention of the Committee for one moment to what the powers were which the magistrates had over the Chief Constable. They had power to appoint him, but they had not, to use the words of the Amendment, the power of controlling the Chief Constable. The Chief Constable, he apprehended, acted independently of the magistracy, nor did he think—and he spoke under correction if he was wrong—that they had the power of dismissing him, except indirectly, because, of course, they controlled the purse-strings. But the Amendment they had now under consideration went a great deal further, and proposed to give to the County Council much more power over the Chief Constable than the magistrates now had, because they not only proposed to give to the County Council his appointment, but the power of controlling him and dismissing him

as well. He ventured, therefore, to think that the matter was one to which the Committee should devote very careful consideration before they decided in which way they ought to vote. Something had been said in regard to the magistrates, and in particular by the hon. Gentleman the Member for Cardiff (Sir Edward Reed). Well, he could not help thinking that, as a rule, the magistrates had performed their duty, so far, in a most exemplary manner. He could not help thinking himself that if attacks were made upon them from time to time, such as were recently made upon them by some Members on the other side of the House, and if these attacks were unjustifiable, he did not think the present wish to belong to the magistracy would long continue; but, on the other hand, he felt certain that if Lords Lieutenants of counties were to take care in appointing magistrates that they only chose the best men, men of culture and intelligence and position, and who had characters to lose, the magistracy would continue to enjoy the very high respect it had hitherto secured on the part of the community. He should further like to say this: he could hardly help thinking that it was a mistake to suppose that when gentlemen took upon themselves the office of magistrates, they did not put on one side, as the Judges did, all considerations of politics and all considerations of religion, and he thought that when they came to the decision of cases brought before them, they endeavoured to decide them as the Judges did, however they may have felt politically on certain subjects beforehand. Therefore, he was one of those who maintained that magistrates ought never to be selected on account of their religion or politics, but entirely on account of their intelligence and capacity. Now, let him say one word with regard to the appointment of the constables. He confessed, himself, he should have preferred to see both the appointment of the Chief Constable and of the other constables still kept in the hands of the magistrates, or given over to some Government Department — say, the Local Government Board; but it seemed to him the Bill proposed that there should be a joint committee, so far as the management was concerned. As a matter of course, he should vote for it; but he should draw attention to what he thought was an argument from which they could pretty well form an opinion as to how they ought to vote in this case. Suppose for one moment that a County Council, say, in the North of Wales, were to be composed—[*Cries of* "Divide!"] He would undertake not to trespass on the time of the Committee for more than a few moments; but perhaps the Committee would allow him to put this case. Suppose for a moment, what was not impossible, that in some of the counties of North Wales County Councils were composed largely of highly conscientious, excellent men, Nonconformist ministers who thought that the payment of tithe was wrong, and were entirely opposed to its payment. So long as tithe was payable, it was, of course, payable by law, and if the people would not pay when the law was set in motion, the police when called upon were bound to assist in carrying it out. Suppose the Chief Constable and the other constables were absolutely under the control and subject to the dismissal by a County Council such as that he had referred to, would it be in human nature either for the Chief Constable or the other constables to dare to act contrary to the wishes of those under whom they served—of those who had the control of their appointments and of their dismissal? Those appeared to him to be practical subjects which they ought to consider. The right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) had asked, rather triumphantly—"Are you going to distrust this body which you are now creating?" No; he did not distrust them; he would not distrust them any more than the right hon. Gentleman himself; but there were certain cases in which people ought not to be judges, and those cases were where their own interests were concerned. The right hon. Gentleman had said that he did not distrust the magistrates. No; but he would distrust them just as much as anyone else, where they were made judges in their own cases. Certainly, with all admiration for the way in which magistrates had fulfilled their duties, if he had had the power to stop them, he never would have allowed them to be judges in game cases. As he objected to the magistrates being judges in their own cases, so he objected to the police, whether the Chief Constable or

the other constables, being put under the control or power of the County Councils, against some members of which they might from time to time be called upon to act. He would detain the Committee no further. He was obliged to them for having listened to his remarks, and he could not help feeling that they ought thoroughly to consider the proposal in the Amendment before they agreed to it.

MR. HENEAGE said, he hoped they might now be allowed to divide after a debate which had lasted two hours and a-half.

Question put.

The Committee *divided:*—Ayes 218; Noes 264: Majority 46.

AYES.

Abraham, W. (Limerick, W.)
Acland, A. H. D.
Acland, C. T. D.
Allison, R. A.
Anderson, C. H.
Asher, A.
Atherley-Jones, L.
Austin, J.
Balfour, Sir G.
Ballantine, W. H. W.
Barbour, W. B.
Barclay, J. W.
Barran, J.
Bethell, Commander G. R.
Biggar, J. G.
Bolton, J. C.
Bolton, T. D.
Bradlaugh, C.
Bright, Jacob
Bright, W. L.
Broadhurst, H.
Bruce, hon. R. P.
Brunner, J. T.
Bryce, J.
Buxton, S. C.
Byrne, G. M.
Caine, W. S.
Cameron, C.
Cameron, J. M.
Campbell-Bannerman, right hon. H.
Carew, J. L.
Causton, R. K.
Chamberlain, R.
Channing, F. A.
Childers, right hon. H. C. E.
Clancy, J. J.
Clark, Dr. G. B.
Cobb, H. P.
Conway, M.
Conybeare, C. A. V.
Corbet, W. J.
Cossham, H.
Cox, J. R.
Cozens-Hardy, H. H.
Craig, J.
Craven, J.
Crawford, D.
Cremer, W. R.
Crilly, D.
Davies, W.
Deasy, J.
Dillon, J.
Dillwyn, L. L.
Dodds, J.
Ebrington, Viscount
Ellis, J.
Ellis, J. E.
Ellis, T. E.
Esmonde, Sir T. H. G.
Esslemont, P.
Evans, F. H.
Farquharson, Dr. R.
Finucane, J.
Firth, J. F. B.
Flower, C.
Flynn, J. C.
Foley, P. J.
Foljambe, C. G. S.
Forster, Sir C.
Foster, Sir W. B.
Fowler, right hon. H. H.
Fox, Dr. J. F.
Fry, T.
Fuller, G. P.
Gaskell, C. G. Milnes-
Gilhooly, J.
Gill, T. P.
Gladstone, right hon. W. E.
Gladstone, H. J.
Gourley, E. T.
Graham, R. C.
Grey, Sir E.
Gully, W. C.
Hanbury-Tracy, hon. F. S. A.
Harrington, E.
Harris, M.
Hayden, L. P.
Hayne, C. Seale-
Holden, I.
Hooper, J.
Howell, G.
Hoyle, I.
Jacoby, J. A.
James, hon. W. H.
Joicey, J.
Jordan, J.
Kay-Shuttleworth, rt. hon. Sir U. J.
Kenny, C. S.
Kenrick, W.
Kilbride, D.
Labouchere, H.
Lalor, R.
Lane, W. J.
Lawson, Sir W.
Lawson, H. L. W.
Leahy, J.
Leake, R.
Lefevre, right hon. G. J. S.
Lewis, T. P.
Lockwood, F.
Lyell, L.
Macdonald, W. A.
Mac Innes, M.
Mac Neill, J. G. S.
M'Arthur, A.
M'Arthur, W. A.
M'Carthy, J. H.
M'Donald, P.
M'Ewan, W.
M'Kenna, Sir J. N.
M'Lagan, P.
M'Laren, W. S. B.
Mahony, P.
Maitland, W. F.
Mappin, Sir F. T.
Marjoribanks, rt. hon. E.
Marum, E. M.
Mayne, T.
Molloy, B. C.
Montagu, S.
Morgan, rt. hon. G. O.
Morgan, O. V.
Morley, right hon. J.
Morley, A.
Mundella, rt. hn. A. J.
Murphy, W. M.
Neville, R.
Newnes, G.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, J. F. X.
O'Brien, P. J.
O'Connor, A.
O'Connor, T. P.
O'Hanlon, T.
O'Hea, P.
O'Kelly, J.
Palmer, Sir C. M.
Parker, C. S.
Parnell, C. S.
Paulton, J. M.
Pease, A. E.
Pickersgill, E. H.
Picton, J. A.
Pinkerton, J.
Playfair, right hon. Sir L.
Plowden, Sir W. C.
Potter, T. B.
Powell, W. R. H.
Power, P. J.
Power, R.
Price, T. P.
Priestley, B.
Pugh, D.
Pyne, J. D.
Quinn, T.
Rathbone, W.
Redmond, W. H. K.
Reed, Sir E. J.
Reid, R. T.
Richard, H.
Roberts, J. B.
Robertson, E.
Roe, T.
Roscoe, Sir H. E.
Rowlands, J.
Rowlands, W. B.
Rowntree, J.
Samuelson, Sir B.
Schwann, C. E.
Sexton, T.
Shaw, T.
Sheehan, J. D.
Sheehy, D.
Sheil, E.
Simon, Sir J.
Slagg, J.
Smith, S.
Spencer, hon. C. R.
Stack, J.
Stanhope, hon. P. J.
Stansfeld, right hon. J.
Stevenson, F. S.
Stevenson, J. C.
Stewart, H.
Storey, S.
Stuart, J.
Sullivan, D.
Summers, W.
Swinburne, Sir J.
Tanner, C. K.
Thomas, A.
Thomas, D. A.
Trevelyan, right hon. Sir G. O.
Tuite, J.
Vivian, Sir H. H.
Waddy, S. D.
Wallace, R.
Watt, H.
Wayman, T.
Whitbread, S.
Williams, A. J.
Williamson, S.
Wilson, C. H.
Wilson, H. J.
Woodall, W.
Woodhead, J.
Wright, C.

TELLERS.

Gardner, H.
Heneage, right hon. E.

NOES.

Addison, J. E. W.
Agg-Gardner, J. T.
Aird, J.
Allsopp, hon. G.

Allsopp, hon. P.
Ambrose, W.
Amherst, W. A. T.
Anstruther, Colonel R. H. L.
Anstruther, H. T.
Ashmead-Bartlett, E.
Baden-Powell, Sir G. S.
Bailey, Sir J. R.
Baird, J. G. A.
Balfour, rt. hon. A. J.
Banes, Major G. E.
Baring, T. C.
Barry, A. H. S.
Bartley, G. C. T.
Barttelot, Sir W. B.
Bates, Sir E.
Baumann, A. A.
Bazley-White, J.
Beach, right hon. Sir M. E. Hicks-
Beadel, W. J.
Beaumont, H. F.
Beckett, E. W.
Beckett, W.
Bentinck, W. G. C.
Beresford, Lord C. W. de la Poer
Bickford-Smith, W.
Biddulph, M.
Bigwood, J.
Birkbeck, Sir E.
Blundell, Col. H. B. H.
Bond, G. H.
Boord, T. W.
Borthwick, Sir A.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brookfield, A. M.
Brooks, Sir W. C.
Burdett-Coutts, W. L. Ash.-B.
Burghley, Lord
Campbell, Sir A.
Campbell, J. A.
Carmarthen, Marq. of
Cavendish, Lord E.
Chaplin, right hon. H.
Charrington, S.
Clarke, Sir E. G.
Coddington, W.
Colomb, Sir J. C. R.
Compton, F.
Cooke, C. W. R.
Corbett, A. C.
Corbett, J.
Cotton, Capt. E. T. D.
Cranborne, Viscount
Cross, H. S.
Cubitt, right hon. G.
Curzon, hon. G. N.
Dalrymple, Sir C.
Darling, C. J.
De Lisle, E. J. L. M. P.
De Worms, Baron H.
Dimsdale, Baron R.
Dixon-Hartland, F. D.
Donkin, R. S.
Dorington, Sir J. E.
Dugdale, J. S.
Duncan, Colonel F.
Duncombe, A.
Dyke, right hon. Sir W. H.
Egerton, hon. A. J. F.
Egerton, hon. A. de T.
Elcho, Lord
Elliot, Sir G.
Elliot, G. W.
Elton, C. I.
Ewing, Sir A. O.
Eyre, Colonel H.
Fellowes, A. E.
Field, Admiral E.
Fielden, T.
Finlay, R. B.
Fisher, W. H.
Fitzgerald, R. U. P.
Fletcher, Sir H.
Folkestone, right hon. Viscount
Forwood, A. B.
Fowler, Sir R. N.
Fraser, General C. C.
Fry, L.
Fulton, J. F.
Gathorne-Hardy, hon. A. E.
Gathorne-Hardy, hon. J. S.
Gedge, S.
Gent-Davis, R.
Gilliat, J. S.
Goldsmid, Sir J.
Goldsworthy, Major General W. T.
Gorst, Sir J. E.
Goschen, rt. hon. G. J.
Granby, Marquess of
Gray, C. W.
Green, Sir E.
Greene, E.
Grimston, Viscount
Grotrian, F. B.
Gunter, Colonel R.
Gurdon, R. T.
Hall, A. W.
Hall, C.
Halsey, T. F.
Hamilton, right hon. Lord G. F.
Hamilton, Col. C. E.
Hamley, Gen. Sir E. B.
Hanbury, R. W.
Hankey, F. A.
Hardcastle, E.
Hartington, Marq. of
Heath, A. R.
Heaton, J. H.
Herbert, hon. S.
Hervey, Lord F.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hill, A. S.
Hoare, E. B.
Hoare, S.
Hobhouse, H.
Hornby, W. H.
Houldsworth, Sir W. H.
Howard, J.
Howorth, H. H.
Hozier, J. H. C.
Hubbard, hon. E.
Hughes, Colonel E.
Hughes-Hallett, Col. F. C.
Hunt, F. S.
Hunter, Sir W. G.
Isaacson, F. W.
Jackson, W. L.
James, rt. hon. Sir H.
Jeffreys, A. F.
Jennings, L. J.
Johnston, W.
Kelly, J. R.
Kennaway, Sir J. H.
Kenyon, hon. G. T.
Kenyon-Slaney, Col. W.
King, H. S.
Knatchbull-Hugessen, H. T.
Knightley, Sir R.
Knowles, L.
Kynoch, G.
Lafone, A.
Lambert, C.
Lawrance, J. C.
Lawrence, Sir J. J. T.
Lawrence, W. F.
Lea, T.
Lechmere, Sir E. A. H.
Lees, E.
Leighton, S.
Lennox, Lord W. C. Gordon-
Lethbridge, Sir R.
Lewis, Sir C. E.
Lewisham, right hon. Viscount
Llewellyn, E. H.
Long, W. H.
Lowther, hon. W.
Lowther, J. W.
Lymington, Viscount
Macdonald, rt. hon. J. H. A.
Maclean, F. W.
Maclean, J. M.
Maclure, J. W.
Madden, D. H.
Makins, Colonel W. T.
Malcolm, Col. J. W.
Mallock, R.
Maple, J. B.
Matthews, rt. hon. H.
Mattinson, M. W.
Maxwell, Sir H. E.
Milvain, T.
More, R. J.
Morgan, hon. F.
Morrison, W.
Moss, R.
Mowbray, rt. hon. Sir J. R.
Mulholland, H. L.
Muncaster, Lord
Murdoch, C. T.
Newark, Viscount
Noble, W.
Norris, E. S.
Northcote, hon. Sir H. S.
Norton, R.
O'Neill, hon. R. T.
Paget, Sir R. H.
Parker, hon. F.
Pearce, Sir W.
Pelly, Sir L.
Penton, Captain F. T.
Plunket, rt. hon. D. R.
Plunkett, hon. J. W.
Powell, F. S.
Price, Captain G. E.
Puleston, Sir J. H.
Quilter, W. C.
Raikes, rt. hon. H. C.
Rankin, J.
Rasch, Major F. C.
Reed, H. B.
Richardson, T.
Ridley, Sir M. W.
Ritchie, rt. hn. C. T.
Robertson, Sir W. T.
Robertson, J. P. B.
Robinson, B.
Ross, A. H.
Round, J.
Russell, Sir G.
Russell, T. W.
Sandys, Lt.-Col. T. M.
Sellar, A. C.
Shaw-Stewart, M. H.
Sidebotham, J. W.
Sinclair, W. P.
Smith, right hon. W. H.
Smith, A.
Spencer, J. E.
Stanhope, rt. hon. E.
Stanley, E. J.
Stephens, H. C.
Stewart, M. J.
Swetenham, E.
Sykes, C.
Talbot, C. R. M.
Talbot, J. G.
Taylor, F.
Temple, Sir R.
Theobald, J.
Tomlinson, W. E. M.
Townsend, F.
Trotter, Colonel H. J.
Tyler, Sir H. W.
Vernon, hon. G. R.
Vincent, C. E. H.
Webster, Sir R. E.
Webster, R. G.
Whitley, E.
Whitmore, C. A.
Wilson, Sir S.
Wodehouse, E. R.
Wolmer, Viscount
Wood, N.
Wortley, C. B. Stuart-
Wright, H. S.
Wroughton, P.
Yerburgh, R. A.
Young, C. E. B.

TELLERS.

Douglas, A. Akers-
Walrond, Col. W. H.

Mr. CONYBEARE (Cornwall, Camborne) said, the next Amendment was

in his name, to strike out from the fourth Sub-section the words—

"Subject as to the use of buildings by the Quarter Sessions and the Justices to the provisions of this Act respecting the Joint Committee of Quarter Sessions and County Councils."

The clause proposed to give to County Councils certain powers. It transferred to the Councils administrative business at present transacted by the Quarter Sessions in respect of certain matters. Sub-section 4 provided for the transfer to the County Council of the powers of Quarter Sessions with regard to shire halls, county halls, Assize Courts, Judges' lodgings, lock-up houses, Court houses, Justices' rooms, police stations and county buildings, works and property, but this power was subject to their use by the Quarter Sessions under other provisions of the Bill respecting Joint Committees of Quarter Sessions and County Councils. He brought forward the Amendment because he had a strong objection to the principle of dual control by the joint committee which it was proposed to establish, consisting partly of the Justices of the Peace and partly of the County Councils; and just as the principle of the control of the police by such joint committee was open to very grave objection, so he thought that the same dual control as applied to the question of shire halls, county halls, Assize Courts, Judges' lodgings, and so on, was liable to friction and very great abuse. It would be said, no doubt, by the right hon. Gentleman the President of the Local Government Board, that as these matters related to the administration of justice, therefore it was desirable that the magistrates should have something to say as to the use of these buildings. Well, he took the position himself in the first place, that to retain the existing magistrates as a judicial Body was a mistake, and that they ought to be abolished altogether; but that, of course, he was not going to argue at the present time. Another principle upon which he went, in opposing the dual control intended to be set up, so far as regarded the matters specified in this sub-clause, was that, as these buildings and so forth had to be maintained out of the rates, and as the people were to be taxed for the purpose of providing such rates, it was only proper that their elected representatives should have control over these specified buildings and other places. It was a fundamental principle that was known in the constitution of this country that there should be no taxation without representation, and if it was argued that the magistrates were entitled to share this control, his answer would be that the magistrates, having the opportunity of being elected on the County Councils—an opportunity which they were pretty certain to exercise to the fullest extent, because they would have better opportunities of becoming elected, in all probability than other persons, because they would have greater advantages under municipal nominations under this Bill—would have all the control over these buildings as members of the Councils, either nominated or elected, which they could desire. In view of the great difficulties that would arise, and, in view of the great objections that might exist on many grounds to this principle of dual control by joint committees, he thought that it was undesirable that these buildings and other arrangements should be left under the control of any such joint committee. The principle they went upon was that those who had to pay for these things should be unfettered in their control and use, and that, if the Justices of the Peace wanted the use of those buildings for particular purposes at particular seasons, they should apply to the Councils for permission to use them. Under the clause as it stood, what would happen would be this: county buildings would be entirely under the control of an unrepresentative section of the Councils and unrepresentative magistrates, because it would hardly be denied that the joint committee would, in all probability, consist almost exclusively of the magistrates who had not been, and would not be, the elected members of the Councils. Now, that being so, he thought it would be very hard indeed on the majority of the people in any county that the buildings they had put up there, and which had to be maintained by a rate paid by them, should be entirely and exclusively under the control of those who did not directly represent them. He thought there could be no doubt as to what would be the result. That would happen which was happening to-day in many parts of the country, especially in country districts, at political meetings—

[*Sixth Night.*]

namely, that they who represented the party opposite to the parson and the squire were excluded from the only room in villages in which they could possibly hold meetings—that was to say, in the village school-room. That was a great grievance, and just as they felt it to be a grievance in that small matter, so he apprehended the ratepayers would find it a grievance to be excluded from their own buildings through the prejudices of the unrepresentative members of the Council who would constitute one part of the joint committee. It was in order to obviate such difficulties as those, which it was pretty sure were likely to arise, and, in order to insist upon the great principle that the people had a rightto control their own buildings and works and property, that he ventured on this sub-section to enter the strongest protest against the dual control mentioned in this sub-section, and that he ventured to move the Amendment which stood in his name.

Amendment proposed, in page 3, line 18, to leave out from "subject" to end of paragraph (IV.).—(*Mr. Conybeare.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG) (Wilts, Devizes) said, he did not know whether the hon. Member seriously contemplated the acceptance by the Committee of this Amendment. He (Mr. Long) could assure the Committee that there need be no apprehension of that which the hon. Member referred to—namely, unfair execution of these duties by the joint committees. The only object of the sub-section was to enable the joint committee of the Quarter Sessions and the County Councils to have the use of the buildings mentioned so far as they might be required by either of those Bodies. The Quarter Sessions would have to make use of those buildings for several purposes.

MR. PICTON (Leicester) said, that surely the representatives of the ratepayers ought to be supreme in managing the property of the ratepayers. The representatives of the ratepayers were the County Council, and the joint committees would be by no means representative. He did not think that it was in the slightest degree probable that the representatives of the ratepayers would be unreasonable people, and it was in the highest degree likely that they would always allow such use of the county property as was requisite for the carrying out of the law. He thought it was in the highest degree unlikely that any difficulty would arise through the carrying of this Amendment, and he considered it most desirable that the County Council should be supreme on this subject, and should have complete control over the property of the ratepayers.

It being ten minutes to Seven of the Clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon *Monday* next.

NORTH SEA FISHERIES BILL—[BILL 278.]

(*Sir Michael Hicks-Beach, Baron Henry de Worms.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

DR. TANNER (Cork Co., Mid) said, it really seemed to him unseemly at such an hour as this to attempt to make progress with an important Bill of this character. It would be improper to proceed with a Bill even smaller than this; indeed, he should think it would be impossible to push any measure through at such an hour. He supposed the hon. Member who had the Bill in charge, like other hon. Members, was at this time of the evening rather hungry and waiting for his dinner, and he (Dr. Tanner) should think that the five minutes time which was all that was left for hon. Members to discuss matters of public interest would be a great deal better employed in the fulfilment of one's natural functions, which not even hon. Gentlemen opposite could ignore, than trying to run through measures in this manner. He sincerely hoped that further discussion on the Bill would be deferred until a more seemly opportunity.

MR. MARJORIBANKS (Berwickshire) said, he would appeal to the hon.

Gentleman to withdraw his objection. The present Bill was not only an innocent one, but one which would be of the greatest benefit to the North Sea fishermen; therefore, he trusted the hon. Gentleman would allow it to pass this stage. The Bill was founded upon a Convention agreed to by all European nations bounding on the North Sea.

SIR WILFRID LAWSON (Cumberland, Cockermouth) said, he would add his appeal to that of the right hon. Member for Berwickshire (Mr. Marjoribanks). This Bill was one of the best which had been brought in this Session. It was one for total prohibition on the sea. It only remained for Her Majesty's Government to bring in a measure to carry out total prohibition on the land, and their legislation upon the subject of the liquor traffic would be perfect.

DR. TANNER said, he did not care much for appeals which were made to him from the other side of the House. Her Majesty's Government and hon. Gentlemen on the opposite side invariably obstructed Irish measures when they were brought forward; and he, therefore, felt in duty bound, when Ministerial measures were brought forward, to try and get them discussed in an adequate fashion. He was always anxious to prevent the misuse on the part of the Government of the privileges the House conferred upon them. Seeing that the Bill was of the character described by hon. Gentlemen who had spoken from those (the Opposition) Benches, he would not proceed with his objection. If he refrained from offering opposition, however, it was not because of any love he bore the other side. He should not persist in his objection out of compliment to Gentlemen on his own side with whom he was proud to be associated.

Bill *reported*, without Amendment.

Bill read the third time, and *passed*.

BUSINESS OF THE HOUSE.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he wished to state to the House that in accordance with the statement he had made yesterday, he should ask the House to go into Committee of Supply on Thursday next, and that Vote 12 of the Army Estimates would be proposed and some Votes on the Navy Estimates.

MR. BRADLAUGH (Northampton): Will not Votes on the Civil Service be taken?

MR. W. H. SMITH: No; no Civil Service Votes will be taken.

DR. TANNER: Will the Navy Estimates be taken in order?

MR. W. H. SMITH: Not in regular order.

MR. STANSFELD: Will the Local Government Bill be the first Order on Monday?

MR. W. H. SMITH: Yes; or if not, only some remaining stages of minor measures will be taken.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

WAYS AND MEANS.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

EAST INDIA (MR. WILLIAM TAYLER).

RESOLUTION.

SIR ROPER LETHBRIDGE (Kensington, N.), in rising to call attention to the case of Mr. William Tayler, late Commissioner of Patna; and to move—

"That, in the opinion of this House, it is desirable, with a view to the settlement of a long-standing controversy as to the wrong stated to have been suffered by a meritorious servant of the Crown, that a Select Committee should be appointed to inquire into this case,"

said, he entreated the House not to turn away from the cry of a meritorious servant of the Crown because his was "a tale of ancient wrong," and because he was 81 years of age, and his wrongs had their origin 31 years ago. The longer cruel hardships had remained unredressed the greater was the urgency for redress. The story which he had to tell was of a man who, placed in a position of the highest responsibility, and in circumstances of appalling difficulty and danger, did his duty to the best of

his abilities, and saved a great Province from the horrors of the Mutiny. That man was, unfortunately, misunderstood, and cruelly wronged by his superior officer, and for 30 years since then he had devoted all his energies to the task of rehabilitating himself before the world. He now appealed to the Commons of England for the redress which that House never refused in a deserving case. Close upon 60 years ago William Tayler landed in India as a young cadet in the Company's employment. He served for nearly 30 years with success and distinction in every grade of the Bengal Civil Service, and at length reached the topmost step but one of the official ladder, and became Commissioner, or Chief Ruler, of the populous Province of Patna or Western Behar. The Commissioner of Patna, as an administrative Chief, was subordinate only to the Lieutenant Governor of Bengal at Calcutta, who, in his turn, was subordinate only to the Governor General and the Supreme Government of India. That was the position held by Mr. Tayler at the moment when the awful wave of the great Mutiny in 1857 swept over Northern India and surged up to and around the Province of Patna. How he faced this appalling situation was matter of history. Unfortunately, his views and those of his superior, Sir Frederick Halliday, Lieutenant Governor of Bengal, were directly and openly at variance, both as to the nature of the crisis and as to the means by which it should be met. Sir Frederick Halliday had before this proposed to remove Mr. Tayler. Four hundred miles away, in the security of Calcutta, he thought that Patna was safe; that the revolt of the neighbouring Sepoys at the Patna Cantonments of Dinapore was inconceivable; that the Wahabee Mahomedans of Patna were "innocent and inoffensive," and so forth; he considered all Tayler's measures utterly wrong, and one, whereby the Christians at Gya and Tirhoot were warned to concentrate on the central station of Patna, he stigmatized as done under a panic. The upshot was that while Sir Frederick Halliday was brought home to the high places of the Secretary of State's Council—from which he had only retired a few months ago—Mr. Tayler was virtually dismissed from his high office, a ruined and broken man. The sentence of the Lieutenant Governor of Bengal was confirmed by Lord Canning and the Government of India, who, in such a case, would be little else than the Lieutenant Governor under another name; and while the facts of the Mutiny were only obscurely known, the crushing sentence was further endorsed by the Board of Control, though some of the most serious parts of the charge were there withdrawn. He (Sir Roper Lethbridge) would not attempt to pass judgment himself on these remote events, or on the actions of Mr. Tayler in the Behar crisis; but he should refer to the testimony of every recognized authority and every competent witness. He would first show that at least two out of the five Members of Lord Canning's Government who had concurred in the dismissal on the imperfect evidence entirely changed their opinion on fuller information, and after the Wahabee trials of 1865. One of the chief charges brought against Mr. Tayler was that he had been unduly severe against the Wahabee fanatics, whom Sir Frederick Halliday called "inoffensive men, against whom there was no ground of suspicion." And it was suggested that Mr. Tayler had been misled by the intrigues of his own subordinates. But some years later these very Wahabees were tried by Sir Herbert Edwardes on other charges of treason, convicted, and sentenced to death, and Mr. Tayler's subordinates, who had been dubbed intriguers, were decorated with the Star of India. Writing to Mr. Tayler, Sir Herbert Edwardes said—

> "The centre of the truly bitter and formidable conspiracy was Patna. You lived there and knew what was going on. You acted on your knowledge, and paralyzed the whole of the Wahabee sect, by seizing their leaders at the very moment when they could and would have struck a heavy blow against us. The Bengal Government were determined not to believe in the Wahabee conspiracy, and punished you for your vigour. Time has done you justice, shown that you were right, and hanged or transported the enemies whom you suspected and disarmed."

Sir Bartle Frere wrote that it "had been proved beyond all doubt" that Mr. Tayler saved the Province from insurrection. He turned from the evidence of Members of the Government—two of whom voluntarily came forward afterwards and testified that, had the facts been known to them, they would not have joined in the censure passed on Mr. Tayler—to the opinions of every

Sir Roper Lethbridge

historian and every writer who had written upon the terrible times in India during the great Sepoy Mutiny. Their authority would not be impugned by Her Majesty's Government. They were Sir John Kaye, Colonel Malleson, and Dr. Alexander Duff. They had all given precisely the same verdict with respect to the treatment of Mr. Tayler by the Government, and they showed the greatest anxiety, as being honest men they were bound to do, that he should obtain redress of his injuries. Dr. Alexander Duff was the head of the Scottish missionaries in Bengal, and his name was a household word over the Province, and he was known as a most estimable character when he (Sir Roper Lethbridge) was in Bengal; and he wrote that, under Providence, Mr. Tayler was the protector of Patna and the saviour of Behar, and for a single error of judgment he was removed from his exalted station, in which he had rendered momentous service to India and the British Crown; and Dr. Duff added that the real ground obviously was the antagonism between Mr. Tayler's policy and the policy of the Government in dealing with the events of the crisis. A precisely similar verdict was given by others—by Victoria Cross heroes, like his old friend Mr. Fraser Macdonald and Mr. Ross Mangles. The latter wrote—

"I can bear my humble testimony to the vigorous and judicious measures which you adopted at Patna, and which, beyond question, saved that city. I have always been surprised that your services have never been recognized, but I hope that justice may yet be done to you."

These words were written 20 years ago. Take the evidence, again, of gallant Boyle, the engineer who planned the defence of the little Arrah Compound. He wrote—

"I am glad to repeat what was then the general conviction, since confirmed by facts—that had you not acted as you did on your own responsibility (disregarding for a time routine and needless technicality)"—this was the sting of the whole thing—"Patna could not have been saved. That you were the means of saving Patna and the lives of the Christian community there is as undeniable as that less far-seeing policy would have involved a widespread catastrophe. When I consider these things, how you have been treated for your eminent services while Commissioner of Patna, how you have been wronged, how you were degraded instead of being honoured, and how even yet neglect and injustice are unredressed,"

Sir Vincent Eyre endorsed all that had been written by Sir John Kaye and Colonel Malleson, who rejoiced that in Mr. Tayler they had the right man in the right place, who had the courage to assume responsibility adequate to the occasion. It was because Mr. Tayler had that courage and assumed that responsibility that he had been disgraced and degraded these long years. He should only trouble the House with one extract more on the subject, and it was from the gallant Colonel Rattray, of Rattray's Sikhs, who happened to have lived in the same house with Mr. Tayler. He said—

"No one but those who were working with Mr. Tayler, living in his house as I was, can know the amount of burden thrown upon him, and all that I can say is not once did I see a symptom of panic during the whole of the time I was working with him. Always courteous, always affable, always cool, and always approachable, he was the picture of what an English gentleman should be when placed in a most critical and dangerous position, and I maintain through thick and thin that it is mainly due to him that Patna was saved. I sincerely trust that Mr. Tayler may yet live to see full justice meted out to him."

This testimony was given 10 years ago. He (Sir Roper Lethbridge) might quote precisely similar language from the Roman Catholic Archbishop of Patna, the Church of England Chaplain of Patna, the German missionary there, round robins of English residents, round robins of Natives, surgeons, engineers, all sorts and conditions of men; and he challenged a single contradictory statement from those who were there to say that Mr. Tayler's policy was wrong. He did not think that anyone would deny that there had been all along an overwhelming consensus of opinion, especially in India, that a grave error was committed by the Government in this case; and what he feared was that the hon. Gentleman the Under Secretary of State for India (Sir John Gorst) might be tempted to say that the matter had been decided on its merits, and that the Government could not re-open the case. He held in his hand absolutely undeniable proof that the matter had never been decided on its merits since the time when, in 1865, the new facts were discovered, and the Members of the Government of India themselves altered their opinions. The letter which he was about to read was the keystone of his

case. It was an autograph letter of that noble-minded statesman, the late Sir Stafford Northcote. It was written on India Office paper, and the signature had been verified by his hon. Friend the Member for Exeter (Sir Stafford Northcote). The Under Secretary of State for India had informed him, in reply to a Question, that there was no trace whatever to be found of this letter in the India Office. The letter was as follows:—

"Harley Street, December 7, 1868. My dear Sir,—Your appeal has not yet, as I find, gone before the Committee of our Council, by whom it will have to be dealt with. I take for granted that when it comes on for discussion, Sir Frederick Halliday will abstain from taking part in the deliberation of the Council; and I feel assured that the Duke of Argyll will look into the question 'fairly and fully.' I remain, yours very faithfully, STAFFORD NORTHCOTE."

What next did they find? The Government to which the late Sir Stafford Northcote belonged went out of Office. With regard to what happened, *The Times*—which did not usually use unmeasured language—called it "a sinister fact." His hon. Friend (Sir John Gorst) spoke of it as "an accident that may happen in the best-regulated Departments." For 10 long years Mr. Tayler waited for the orders on his Memorial that was to be "fairly and fully" looked into, and then he discovered, from a statement in *The Scotsman*, and not by information from the India Office, that his papers, including the Memorial, had gone, vanished, no one knew when, no one knew whither, and that the Duke of Argyll, as Secretary of State, had recorded this most significant Minute—"My opinion is against re-opening the case." The House would observe that this was not against Mr. Tayler on the merits of the case, not against the merciful inclinations of his Predecessor, Sir Stafford Northcote, but against any consideration of those merits. He protested at once, and most strongly, against the attempt that had been made to throw the blame for the miscarriage of justice on the Duke of Argyll. He held that the opinion of the Duke was a just and proper one, probably even a necessary one, for he had not been made aware of the promise and intention of Sir Stafford Northcote, and could only conclude that in re-opening the case he would be casting a slur on the judgment of his Predecessor. The words of the Duke, after the promise of Sir Stafford Northcote, could not possibly be got over. They declared definitely that the case had not been re-opened, and they cast palpably and incontestably on his hon. Friend the responsibility of refusing to do an act of justice. Why, it might be asked, was the present year so especially favourable for the reconsideration of this matter? He had some little delicacy in replying very directly to that question, though the answer was well known to everyone who had followed the case. It was his determination, and that of those who acted with him, not to say one word of imputation against the two most distinguished and most eminent Members of the Secretary of State's Council, Sir Frederick Halliday and Sir Henry Maine, who for a great many years thought it their duty strongly to oppose Mr. Tayler, and who both, within the last few months, had been removed from that Council, one by death and one by resignation. Hard words enough had passed on both sides. He would earnestly say let bygones be bygones; and in extenuation of any bitter words that might be raked up against Mr. Tayler, he would urge that when charges on public grounds were brought against a man and were known by him to be false it was only human nature to assign some of the animus to private grounds. And if Sir Henry Maine were alive he would be the first to laugh at the original cause of quarrel between him and Mr. Tayler. The quarrel was over the famous Simla "pickles case," when the late Sir William Mansfield accused his secretary, Captain Jervis, of stealing his pickles. Simla society was rent asunder into fiercely contending factions by the case. Sir Henry Maine, as Law Member of Council, was, in a way, the Legal Adviser of the Commander-in-Chief. Mr. Tayler was the advocate of the secretary, and triumphantly won his case. But surely those old feuds of bygone times might now be forgotten. It remained an obvious practical fact that, whereas for at least 20 years it had been impossible for a Secretary of State to do anything for Mr. Tayler without offering something like a rebuff to his two most distinguished Councillors, now nothing of the kind was involved. He might say that the whole Press of India and a most influential portion of the Press of England had dwelt on that fact.

Within the last few months everyone of the great newspapers of India had called on the Secretary of State to move in the matter, and had declared that justice could now be done without hurting the dignity or the character of anyone, and with great advantage to the character of the Government. *The Times* the other day said of Mr. Tayler that—

"The time that is left to him in the ordinary course of nature cannot be long. It will be our loss rather than his if the future historian has to record that he went down to the grave with all who knew his deeds applauding them, and officialism alone holding stupidly, unjustly, and dishonestly aloof."

It was official, not national, ingratitude; and *The Calcutta Englishman*, passionately applauding this sentiment, added that—

"Every right-hearted Englishman must hope that his children and grandchildren will have cause to be thankful that he worked for their honour during the 30 years of his retirement undeterred by official slights or by unmanly doubts of his eventual success."

Everyone who knew the hon. Gentleman the Under Secretary and the noble Viscount the Secretary of State for India (Viscount Cross) would feel that they, at least, were the last men in the world not to join heartily in such a wish. But he must sorrowfully confess that it was possible that his hon. Friend, after all he (Sir Roper Lethbridge) had ventured to urge, and after all that would be urged by those who would follow him, might still feel a dread of some reproach for committing what had been represented to him as a breach of official etiquette. He ventured to assure him—and the generous heart of the people of this country would assure him—that when that official sin came to be recorded against him, the Recording Angel would remember the poor old hero of Patna and his wrongs, and would drop a tear on the record and blot it out for ever. The hon. Gentleman concluded by moving his Resolution.

SIR HENRY HAVELOCK-ALLAN S.E. (Durham) said, he rose with the greatest pleasure to second the Resolution, and if he might be permitted to offer a reason for doing so, it was because he was to have had the honour of seconding the Motion of Sir Eardley Wilmot on this subject when the case was about to be brought forward in 1878. Since that time, owing to changes of Governments, changes in Ministries and other accidental circumstances the case had not been brought forward, and there had been no investigation whatsoever of this question. They had been told time after time that the case, having been investigated by successive Secretaries of State, had passed beyond the cognizance of the present day. He should elaborate that point in the course of his observations to show that, except in the first interval, no investigation of any description whatsoever had been held. If he might be allowed to offer an apology for intervening in this debate, it would be that he had the honour of having been himself engaged in the transactions to which the Motion of the hon. Member related at the time at which they occurred, and he hoped that the personal testimony of one who had been engaged in the circumstances he was endeavouring to relate would, however junior his position might be, continue to be regarded as of some value in that House. In 1857, when these events occurred, the Province of Bahar and the City of Patna were saved from destruction, and from a loss of life such as they were not able to estimate by the bold, determined, wise, and well-conducted action of Mr. Commissioner Tayler. The Mutiny which broke out in India in 1857 had overwhelmed nearly the whole of the country, and in a few isolated spots there were detached sections of our countrymen exposed to dangers to which he sincerely hoped none would ever be exposed again. In such circumstances as those, Mr. Commissioner Tayler, then in the prime of life—now an old man of 81 years—and having had an official experience of 26 years in India—during which he had obtained the distinguished approbation of everyone under whom he had served—had to meet a most perilous crisis with scarcely any assistance from those with whom he was associated, that which he did receive being in many cases a detriment and a block to him. He rose to the emergency; but he committed the unpardonable fault of having been right when his official superiors were wrong, and the vindictiveness and narrow-minded spite which wrecked his career and had followed him ever since was attributable to nothing but that he, being a most clear-sighted and capable Englishman, had met with the censure

of those who were less clear-sighted and capable than himself. The great City of Patna, close to the military station of Dinapore, containing great Government factories, and millions of treasure, was left with scarcely any garrison at all, which might be said to consist of Commissioner Tayler himself and a few police when the emergency arose. In the month of June, 1857, Commissioner Tayler knew from previous investigation what was not understood by the authorities at Calcutta—of the existence of a great and powerful conspiracy aimed at uprooting the foundation of our power in India—concerning which everything that he then alleged was, seven years afterwards, borne out by unimpeachable evidence beyond the possibility of doubt. He had to deal with the circumstance that eight miles lower down the Ganges than Patna there was a garrison of three of the best regiments of our Indian Army, who were held in check by one regiment in which he (Sir Henry Havelock-Allan) had the honour to serve. Their efficiency could not be doubted from a military point of view; but for that very reason they were all the more dangerous should they become our enemies. Commissioner Tayler was urging on the authorities the existence of the conspiracy, and the necessity of disarmament. The insurrection was spreading all over the country, and our out-stations were being overwhelmed, owing to their small numbers, when Commissioner Tayler thought that it would be a prudent step to disarm these 2,000 Indian troops, for which proceeding there were means at hand, and an opportuuity afforded. The only opposition offered was that of Sir Frederick Halliday and General Lloyd, who desired to retain a belief in the loyalty of the Native troops with whom he had been associated all his life, although in the course he took he was afterwards proved to have been grievously mistaken, and which course was absolutely opposed to the information of Commissioner Tayler. At Patua itself he nipped the insurrection in the bud by seizing somewhat unceremoniously—insurrections were not to be put down with rose water—the Wahabee leaders without further detriment to themselves, except that they were deprived of the power of doing mischief. That raised the ire of Sir Frederick Halliday, then Governor of Bengal, whose influence was strong enough to induce Lord Canning and General Lloyd to resist every representation made to them as to the disarmament of the forces, which might, in the early days of the conspiracy, have been deprived of the power of doing evil. Subsequent events had undoubtedly proved that in every step taken by Commissioner Tayler he was right, and that the steps taken by his official superiors, who were opposed to him, were absolutely and lamentably wrong. He (Sir Henry Havelock-Allan) would show presently how that bore on the insurrection in India, and how, without the intervention of Providence, Lucknow—to whose relief his father was advancing—would have fallen, in consequence of this neglect of Mr. Tayler's advice. This disarmament of the Native troops might easily have taken place early in June, and when at last permission was given the operation was so mismanaged and bungled that a large force of somewhat over 2,000 trained Sepoys—as fine soldiers as any in the world—were able to escape into the adjoining Province of Behar, with the whole of their ammunition in their possession, which enabled them for 15 months to oppose resistance to the attempt to suppress the Mutiny. But the chief point alleged against Mr. Commissioner Tayler was that he showed a want of courage in what was called the disgraceful withdrawal of the officials from the districts. What did that mean? All over India small detached bodies of Europeans were striving for their lives. In the midst of the circumstances that surrounded them they would naturally retire to the nearest town; and the whole gravamen of the charge against Mr. Tayler was that he foresaw the possibility of those small detached parties being obliged to take refuge in Patna, and gave facilities for that which all over India was taking place without any orders at all. Another charge against him was that he had prevented the advance of the heroic Sir Vincent Eyre to the relief of Arrah. When the authorities had succeeded in bungling the plan of disarmament, the 2,000 Sepoys, who made their escape with their arms and ammunition, laid siege to the small house at Arrah to which the hon. Member for North Kensington (Sir Roper Lethbridge) had alluded. A detachment of European soldiers, 400 in number, who were sent to their relief,

had fallen into an ambush; they suffered severely, and had to return diminished in number by 250. The allegation against Commissioner Tayler was that when some few days later a much smaller detachment of British soldiers, available for the relief of the beleaguered garrison, was passing up the river, he recommended them to proceed with caution. If he had not done that, he would have been deficient in respect of the first element of his public duty. Seeing what had happened to a much superior force a few days before Commissioner Tayler—whose business, as a Civil officer, it was to sift all the evidence derived from a hundred sources as to what the probability of success might be—sent through the military officer commanding at Dinapore, who had to decide whether the movement should be made or not, certain advice either not to advance, or else to advance with caution to what, in his opinion, might otherwise be almost certain defeat. So far from that being in any degree a discredit to Mr. Tayler, he (Sir Henry Havelock-Allan) maintained that it reflected the highest possible credit upon his foresight and his appreciation of the duties which fell to his share as Civil officer, in giving all the information in his power to the Military Authorities. These were the only two points alleged against this man. He would not say, in general terms, that there had been official rancour displayed against Mr. Tayler, as he (Sir Henry Havelock-Allan) did not believe that such a feeling was entertained by the higher officials, the case having received a fair hearing whenever it had come up for higher consideration, and Mr. Taylor having been especially completely exonerated by the Court of Directors. But one individual had, from first to last, displayed implacable hostility against Commissioner Tayler, because that gentleman had been right, whilst he himself, his official superior, had been wrong, and these two insignificant reasons had been picked out as a lever for bringing to an end the official career and ruining the prospects and embittering the life of a gentleman to whomthe people of India, perhaps, owed as much as to any other man engaged in the Mutiny. He was not aware that there was anything further alleged against him; but if Mr. Tayler had committed an error of judgment in this matter, what did it amount to? It amounted to a case of this kind—that in extinguishing a great and dangerous conflagration, which threatened life and property, those who managed the fire-engine might have accidentally sprinkled the bystanders. Now, let him (Sir Henry Havelock-Allan) point out that subsequent events, in every respect, had confirmed the soundness of the judgment arrived at by Mr. Taylor. It was at that time urged on Lord Canning, who had not then been long in India—and of whom he wished to speak with every respect, he having, of course, been in this matter in the hands of his official advisers—who had long years of Indian experience—that Commissioner Tayler had, without due cause, seized and imprisoned some worthy and inoffensive Mahommedan gentlemen—these being the Wahabee conspirators. If that conspiracy had not been promptly checked much bloodshed and slaughter would have resulted. But what happened later on? In 1864, after Commissioner Tayler had been displaced and relegated to private life, when everything had been done that was possible to ruin him, when he had been deprived of pay and pension, and forced to rely upon his own extraordinary talents as an advocate for a subsistence, this remarkable event occurred. An investigation which was carried on by Sir Herbert Edwards at Simla, in the North-West Provinces, in connection with the Wahabee conspiracy, brought to light the fact that the very individuals whom Commissioner Tayler had seized—thus nipping the insurrection in the bud—were the persons who were subsequently proved to be the principal movers in the insurrectionary movement in 1857, which was intended to upset the British power in India. Those men were convicted in 1864, on the clearest evidence; but Commissioner Tayler was, unfortunately, unable to profit by what happened. But the men who were instrumental in proving that the Wahabees seized by Commissioner Tayler were connected with the conspiracy were, by the deliberate action of the Indian Government, promoted for the services they had rendered the country. From that day up to the present, every subsequent event had fully and completely established the soundness and correctness of Mr. Tayler's judgment. Speaking from personal knowledge in

this matter, he could say that the escape of the Dinapore brigade from Dinapore into the jungle, with all their arms and ammunition complete, might have had, except for the interposition of Providence, a fatal effect on the result of the insurrection in India. At that time the force under his father's command, and of which he (Sir Henry Havelock-Allan) had the honour to be executive officer, was on the further—the northern—side of the Ganges, having fought 11 battles on the near side, capturing 100 pieces of artillery, and being then within 50 miles of the relief of Lucknow. As far as he and his father knew every hour was of importance. What happened? In consequence of Mr. Tayler's advice not being followed, and this large body of men being allowed to escape intact to swell the forces of rebellion, the whole of his father's movements were absolutely checked. He asked the permission of the House to read a few words from a letter of his father, expressing the judgment which, with great regret, he had arrived at on this occasion. He was not quoting from a copy of a document, but from the original, written by himself at that time to his father's dictation, in the warmth of the circumstances as they occurred, and he would then ask whether Commissioner Tayler was right or wrong in the course he recommended. On receiving the news that this large reinforcement had been received by the enemy, that they had cut his line of communication, and that reinforcements would cease to reach them for many weeks, his father wrote this letter—

"Camp Mungurwar, August 8, 1857.

"Imperious circumstances compel me to recross the Ganges. When further defence becomes impossible, do not negotiate or capitulate. Cut your way out to Cawnpore; you will save the colours of the 32nd, and two-thirds of your British troops. Blow up your fortifications, magazines, &c., by constructing surcharged mines under them and leaving slow matches burning.

H. Havelock, Brigadier General.

To Colonel Inglis, Commanding Lucknow."

Why was this advice rendered necessary? His father was compelled to give it, because Commissioner Tayler's advice was not followed, and because this large reinforcement was allowed to reach the enemy intact, and to cut their communications. He apologized for referring to this personal matter, and assured the House that he only did so under a strong impelling sense to obey the dictates of justice and honour, —in letting the truth be known— which, he believed, were not extinct, and never would be extinct, in that House. Since that time Mr. Tayler had, from time to time, endeavoured in poverty, in circumstances of unexampled trial and depression during 31 years, to call the attention of his countrymen to the injustice he had suffered. He (Sir Henry Havelock-Allan) came now to a dark and unexplained circumstance, which, if it stood alone, would justify the request now made, that fuller investigation into this case should take place. In 1878 he was engaged with Sir Eardley Wilmot in bringing this case before Parliament. He had sent Memorials to the India Office, which were not then replied to. They were told in July, 1878, that it was desirable that inquiry should be deferred, because a very comprehensive Minute on the subject had been prepared by Sir Frederick Halliday, and that it would shortly be laid before the House. That reply stopped action in 1878. In 1879 other circumstances intervened to prevent the case being taken up, and in 1880 there was a change of Government. But he wished to draw the attention of the House to a circumstance, which had remained unexplained to this day, and such circumstances fortunately did not often happen. When the papers on which Commissioner Tayler relied for his defence were searched for, it was found that they were absent from the records of the India Office, and could not be traced. He cast imputation on no person. It so happened that the parties in this case on the one side and the other were equally friends of his, and he should not like to be swayed by the slightest bias against anyone, or by any feeling but that which was usually felt by an Englishman to stand up for a man whom he believed to be oppressed and injured. As he had said, all the papers required by Mr. Tayler to prove his case were abstracted from the India Office. The only thing that could be discovered of the voluminous documents was the fly-leaf, which bore the simple Minute of the Duke of Argyll in 1868, that his Grace was against the re-opening of the case. He (Sir Henry Havelock-Allan)

did not wish to attach any further importance to that remarkable incident than it deserved; but he did say that when official documents disappeared in this extraordinary way, the question naturally arose whether anyone, and if so who, was most interested in their disappearance. Fortunately, they were not at a loss as to the facts. Through 31 years of privation, of loss of position, of circumstances which would have broken any man of inferior courage and spirit, Mr. Tayler had survived to bear the test of public investigation, and the gentleman who was mixed up with Mr. Tayler in the events of that time, the gentlemen of whom he (Sir Henry Havelock-Allan) did not wish to say a word stronger than was warranted by circumstances, but who, at all events, was the sole opposing element in the case, also survived. This was not a case like that of Lord Dundonald, where all who had been originally concerned in the events which had led to acts of injustice had passed away, though even in that case in 1878 justice was at last done to the memory of a great and gallant gentleman, and to those who had succeeded him. As to the present case, they were in no such difficulty. The accused and the accuser, if they might be said to stand in that position, were still before them, and the documents were forthcoming in abundance. Every historian who had judicially examined the circumstances of this case had been unanimously in asserting that Commissioner Tayler, of Patna, had certainly established his position as having, not only acted with judgment, but as having thoroughly earned the gratitude of his country. This man was now 81 years of age. In the course of nature his life could not be much longer prolonged. He had borne with unexampled courage what he (Sir Henry Havelock-Allan) and his hon. Friends believed to be an intolerable injustice and wrong. He appealed to both sides of the House on the question. He appealed to the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), though the right hon. Gentleman had no personal responsibility in the matter. The right hon. Gentleman was, however, at the head of the Government during the period of many of the transactions referred to. He appealed also to the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith), who, he was sure, was actuated on all occasions by a sense of inflexible justice. To that sense of justice he now appealed. Give this man an open and fair inquiry. If it was shown that Mr. Tayler had committed an error no harm would be done, because the grave would soon close over a sad story. But if, on the other hand, it could be shown that justice had been continually postponed by the resistance of one man, who, from his official position, had been better able to thwart Mr. Tayler than anyone else could have been, then he said that not only was the national faith involved, but the national sense of justice was involved in doing complete justice in this matter, though justice had been so long deferred. He begged to second the Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable, with a view to the settlement of a long-standing controversy as to the wrong stated to have been suffered by a meritorious servant of the Crown, that a Select Committee should be appointed to inquire into the case of Mr. William Tayler, late Commissioner of Patna,"—(*Sir Roper Lethbridge,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham) said, that he, in common with the other Members of the House, had listened with great pleasure to the manly and eloquent speech of the hon. and gallant Member for Durham (Sir Henry Havelock-Allan). He hoped the House would believe him when he said that the Secretary of State for India was as anxious to do justice to anyone who was suffering under undeserved obloquy as was the hon. and gallant Member himself; but before the House embarked a Select Committee upon an inquiry into this voluminous case a plain, unvarnished statement of the facts ought to be laid before it. The two speeches which had been made had been rather the speeches of advocates putting forward points chosen to produce an impression that injustice had been done, than impartial statements of fact such as it was his duty to submit. The

real grievance had been greatly exaggerated, for it had been said that this gentleman had been dismissed from the Public Service. He was not dismissed; he was simply superseded in the position he held at Patna. He was transferred from that position to another, and if it had not been for subsequent events he might for a long period have served the Crown. The House had to consider whether, in all the circumstances of the case, the Government of India of the day were justified in removing Mr. Tayler from Patna and putting him elsewhere. He would give the reasons which induced the Government of India to take that course. But he must first object that this was not a matter on which there ought to be an appeal to all. The Empire of India was imperilled, and the Government, in the action it took on that occasion, must be judged by the rules of military procedure. Supposing a Commanding Officer in the middle of a battle were to remove an officer from some post under some misapprehension, would it be endured that there should be an inquiry whether the General had justly estimated the capacity of the man? The second objection he had was that the bringing forward of the question compelled him to rake up matters that were more than 30 years old, and charges against Mr. Tayler that the existing Members of the Government of India would be glad to bury in oblivion. If he was obliged to mention things which did not entirely redound to the credit of Mr. Tayler, it was the fault of those who now brought the matter forward. He would not go into extraneous matters. It had been mentioned that before the Mutiny it was intended to remove Mr. Tayler from Patna. That intention was formed in consequence of complaints which afterwards received the investigation of the Secretary of State, and as to which the Secretary of State decided that the Government of Bengal were right and Mr. Tayler was wrong. With this explanation, he would begin with the date of the 7th of June, 1857, when the first alarm occurred at Patna. It was on the 31st of July following that Mr. Tayler issued the withdrawal order, and the events he would deal with occurred within those two dates. He wished to read Mr. Tayler's own description of the resolution which he formed on the 7th of June as to the conduct he would pursue during the critical days that he foresaw. He said—

"Then it was that, after carefully pondering the various sources of danger, after weighing and comparing the information brought to me from various sources, I resolved to adopt a series of coercive measures which would anticipate and nullify any movement that might be contemplated, and draw the teeth of the disloyal before they had opportunity to bite."

And he afterwards said—

"All was done on my own sole responsibility, without the permission or knowledge of Mr. Halliday."

[*Cheers.*] The House cheered that as if, at a moment when you were fighting against mutiny, insubordination was something to be admired. He strongly objected to that. If ever there was a crisis in the history of the world it was that of the Mutiny. No doubt, there had been instances of splendid insubordination, such as that of Lord Nelson at Copenhagen, or even that committed on this very occasion by the officer who disobeyed Mr. Tayler himself; but these were isolated cases of disobedience in some one particular matter. A man who did such a thing, did it with a rope round his neck; he ran the risk of failure; but he might succeed and have his act condoned by his superior officer. He protested, however, against the doctrine which seemed to find favour with some hon. Members, that you were to embark in dangerous operations of this kind with the predetermination that you would tell your superior officer—"All was done on my sole responsibility, without the permission—["Hear, hear!"]—or knowledge—["Hear, hear!"]—of my superiors."

Sir ROPER LETHBRIDGE: There were no orders.

Sir JOHN GORST said, he was astonished that any hon. Member should cheer such a sentiment. The arrest of the four Wahabees took place on the 20th of June. These gentlemen were never brought to trial; they were discharged afterwards with the knowledge and approval of Mr. Taylor himself, and no conspiracy and no offence of any kind was proved against these men. The hon. and gallant Member for Durham said that this was a great accusation made against Mr. Tayler; but he never heard that any accusation was made against Mr. Tayler in respect of these men.

Sir HENRY HAVELOCK-ALLAN said, he had been misapprehended; he did not say that. He said the particular accusation was the withdrawal order. He was not aware that Mr. Tayler was ever censured for the arrest of these men, which was perfectly justified.

Sir JOHN GORST said, he was not censured for arresting them; but Sir John Kaye, to whom the hon. Member for North Kensington appealed, said of this event, in his *History of the Mutiny*—

"It can hardly escape the consideration of any candid mind that what is thus regarded as a successful stroke of policy when executed by Englishmen against Mahomedans would, if Englishmen had been the victims of it, have been described by another name. To invite men to a friendly conference and, when actually the guests of a British officer, to seize their persons is not only very like treachery, but is treachery itself. . . . . The exigencies of a great crisis justify exceptional acts in the interests of public safety; but I do not know any excuses that may be pleaded or arguments that may be advanced by a British officer in such a case that might not be pleaded and advanced by Native Chiefs in like circumstances. But, whatsoever other successes this stroke of policy may have brought, the tranquillization of Patna was not one of them."

What was chiefly complained of was not the actual arrest, but that no information was given to the Government. On the 25th of June the following letter was addressed by the Lieutenant Governor of Bengal to Mr. Tayler:—

"Intelligence has reached the Lieutenant Governor from a private source that on the 21st instant you arrested certain influential Native gentlemen at Patna, and caused the town to be searched in order to disarm the population. Whether these measures were right or wrong the Lieutenant Governor has no means of judging. They are certainly extraordinary, and at first sight open to much question. But the Lieutenant Governor has to complain seriously that he hears on such occasions nothing from you of your intentions and nothing of your acts till after they had been completed, and that your method of reporting to Government at the present important crisis is loose, desultory, and incomplete."

And on the 26th of June the Government wrote—

"Your promised letter of the 22nd instant has just been received. It contains no detail of any sort, but is written, as usual, in a hurried and careless manner, with an intimation that you are too busy to write in detail, and will write more in a day or two. You add—'I have the four principal Wahabees in custody, and am just going to catch Ali Kureem.' Not a word is said to explain this extraordinary and dangerous measure, or why these arrests are made and to be made. I am directed to repeat to you that this conduct is most unsatisfactory. You cannot have so much to do as to be unable to afford the smallest information of your proceedings, especially when they are of a nature very questionable in appearance. At all events, it is your duty and your business to keep the Government informed of what you are doing, and you can have no work of greater or more pressing necessity than to do this. The Lieutenant Governor regrets to be obliged thus to urge you on such very obvious points of duty which no other Commissioner has neglected."

Then the next day they complained again—

"The dawk of the 23rd has come in from Patna, and the Lieutenant Governor has again to complain of the absence of all information of your proceedings. He has received a scarcely intelligible demi-official note from you dated the 23rd instant, written, as usual, in a hurry, and affording no tangible information. It is very probable you may be doing all that is right, and the Lieutenant Governor is willing to place all reasonable confidence in your zeal and discretion; but that you should keep the Government wholly in the dark for days and days together while you darkly intimate that you are adopting measures of great responsibility and importance, is, I am directed to say, quite intolerable. It is impossible that you should have anything to do of greater importance than keeping the Government informed of your proceedings. Should this most unsatisfactory state of things not be speedily amended, the Lieutenant Governor, I am directed to say, will be constrained to supersede you, however unwillingly, in order that he may have at Patna an officer who will keep up proper and necessary communication with his superiors. But he trusts that you will not force him to this extremity."

On the 29th of June they wrote again—

"Having no knowledge whatever of your information or its sources, or the objects and principles of your acts and measures, and bus very little knowledge of the acts and measuret themselves, regarding all which you have keps him in ignorance, the Lieutenant Governor is unable to give you any directions or instructions to guide or assist you. It seems evident that you are doing irregular and probably illegal acts, and are incurring serious responsibility, but you may be able hereafter to explain and justify them. Meantime your own responsibility is greatly increased by your omitting to enable the Government to understand either what you are doing or why you are doing it."

He had read these letters to show that at the very outset Mr. Tayler was cautioned by the Government of Bengal, and that the course of conduct he prescribed for himself was such as it was impossible for any Government to allow. On July 17 Mr. Tayler wrote the following answer to the Government of Bengal—

"I may, perhaps, be pardoned at a crisis like the present for stating that when I had made up my mind to act thus decisively I purposely put my plan into execution without asking for authority, because I deemed it possible that the Lieu-

tenant Governor, judging from a distance, might not possibly have approved of measures which to some extent undoubtedly are beyond the law, but which I, on the spot, felt to be essential for the safety of Patna."

To that the Government replied on the 22nd of July, 1857—

"The only part of this letter which appears to the Lieutenant Governor to call for immediate notice is what is stated in paragraghs 6 to 9, in which you avow that you wilfully and purposely kept the Government uninformed of your intentions, acts, and measures. This conduct you persevered in, not only up to the time of carrying out the measures referred to, but for some time afterwards, and indeed until you were compelled, by repeated and strong censures, to adopt a different course. In doing this I am to observe you committed a grave and very reprehensible error, and you cannot but be sensible that the knowledge that it is in your opinion justifiable in an officer to conceal his official acts and purposes from the head of the Government he serves, if he has reason to suppose that they will not be approved, must make it impossible for the Lieutenant Governor to place implicit confidence in you."

What were the acts which were being committed? They had been described as "hanging and imprisoning wholesale." ["Hear, hear!"] There were some Members in the House who appeared to think that as long as it was only a coloured man that was hanged it did not matter. All he wanted to show the House was the nature of the acts which were described as illegal and irregular, and which Mr. Tayler was all this time committing. He could not give a better example than the case of one Waris Ali, a jemadar of police. This man was arrested and handed over to Major Holmes, who was generally regarded in India as what is called "a man of action." Major Holmes sent the man on to General Lloyd with a very remarkable letter, which he would read to the House. It ran as follows:—

"My dear General,—The magistrate of Tirhoot has sent me a jemadar of police with a polite request to hang him up. The chief evidence against this man is a letter of doubtful import, in which he speaks of a great merchandise and his friends joining to obtain the pearl of his desire, rebellion and murder—rather vague to string a chap upon—so I have sent him to you in irons that he may be placed in the European barracks, and his fellow-conspirators at Patna being seized the matter can be properly sifted by a Commission of European officers and justice dealt out accordingly."

On the 30th of June, Major Holmes wrote to the General again about the man Waris Ali as follows:—

"I wish to point out that my great power over my own men and the Natives of these parts arises from their own sense of my perfect justice and perfect determination. They know that if I am convinced that a man is guilty his life is not worth an hour's purchase; but were I to condemn a man on mere suspicion, which was really all I had to go on in this case, I should be looked upon as bloody-minded and unjust, and I should lose half my real power. I went over those papers carefully with my Native officers, and they and I quite concur in our minds about them."

This man, Waris Ali, was sent by General Lloyd to Mr. Tayler, and he arrived at Patna on July 1 or 2. Mr. Tayler postponed his trial for two or three days in the hope of eliciting information from him. On July 6 he put him on his trial. The evidence adduced was the same as that which Major Holmes had thought insufficient; but Mr. Tayler convicted the man and hanged him the same day. The following was the account which Mr. Tayler gave in his own words:—

"Waris Ali, whose arrest has been previously mentioned, was tried under the Commission on Monday, the 6th of July, and capitally sentenced. He was executed the same day, and his last words were to ask whether no Mussulman would assist him. This man is said to be related to the Royal Family of Delhi. He was a large, stout, and good-looking man, and was selected, I imagine, more for these qualities and his family connection, and perhaps for the assistance which his position in the police enabled him to give. I postponed his trial for two or three days after his arrival, and had several private interviews with him in the hope of eliciting information. But he was evidently, I think, not in Ali Kureem's secrets, as he was in such excessive alarm and despair that I am convinced he would have done anything to save his life. When speaking in private with him he implored me to tell him whether there was any way in which his life could be spared. I said 'Yes,' and his eyes opened with unmistakable delight, and when he asked again what the way was his countenance was a picture of anxiety, hope, and terror. I told him—'I will make a bargain with you; give me three lives and I will give you yours.' He then told me all the names that I already knew; but could disclose nothing further, at least with any proof in support. He was evidently not sufficiently clever to be Ali Kureem's confidant."

He would give the House another case. On July 3 occurred the only disturbance that took place at Patna. That riot commenced by the assembling of 50 or 100 men at the house of a bookseller. They were armed with guns and swords and spears. They were met and kept in check by two men, a patrol, and a Soubahdar. It was quite true that the patrol was killed; but the two men succeeded in checking the rioters. The only

European that was killed was Dr. Lyell, who had galloped on in front of the Sikh soldiers who accompanied him, and came alone into the middle of the excited crowd. The whole thing did not last three-quarters of an hour. In connection with this riot, a trial was held by Mr. Tayler under an Act then in force, a kind of Drumhead Court Martial Act, which gave tremendous power to the Commissioners appointed under it. The trial took place on the 7th of July, four days after the riot; and out of a number of men tried, Mr. Tayler sentenced 14 to death—all being found guilty, he said, on clear evidence. With the exception of two, they were all hanged within two hours of being sentenced. They were tried by Commission under Act XIV. of 1857, of which the 9th section said that on every person convicted of murder, arson, &c., the Court might pass any sentence warranted by law, and the judgment of such Court should be final and conclusive and the Court should not be subject to the Sudder or any other Court. That was an Act under which the Commissioners ought to have acted with the greatest care and gravest sense of responsibility. He could not read to the House the evidence on which these men were hanged. He had read it himself, and, having had some experience in such matters, he must say that, so far from being clear evidence, it was evidence open to the greatest doubt and the gravest suspicion. The House might easily understand why that was the case, because the riot happened at dusk, about 7 o'clock in the evening, the faces of the men engaged in it were all tied up with cloths, and the evidence of identity was given by persons who did not previously know the accused. Of all things in the world evidence was the most unreliable. But he would not ask the House to take his word for it. Mr. Lowis, the magistrate, wrote in February, 1858, about eight months after, to Mr. Samuells, who was then Commissioner of Patna, as follows:—

"As Patna is now considered quiet, I would beg to bring to your notice a circumstance connected with the late disturbances there, which, should you think fit, you can lay before Government. After the riot in which Dr. Lyell lost his life, certain persons, said to have been concerned in it were brought up for trial before Mr. Tayler, the then Commissioner, and myself. Of the guilt of some of these men there was certainly no doubt, and they were accordingly convicted and at once hung. Of the participation of the other prisoners I had, however, strong doubts, and I held that on the evidence against them it was impossible for me to convict. I therefore proposed remanding them till further inquiry could be made. To this Mr. Tayler objected, and endeavoured to prove that, there being the same evidence against all, all must be equally guilty. This, however, failed to convince me, and I still adhered to my former opinion. Mr. Tayler then proposed that the prisoners should be sentenced to 10 years' imprisonment, and that when the country became quiet the Government might, if it saw fit, inquire into the matter. The critical state of affairs demanded that no difference of opinion should appear between us. I therefore yielded the point so strongly urged by Mr. Tayler, and consented to the sentence of imprisonment being recorded, determined to refer the matter as soon as quiet was restored. I had hoped that Mr. Tayler would have joined me in this reference, and wrote to him inviting him to do so, but he declines having anything to do with the matter, the whole of the above circumstances having apparently escaped his memory."

Here was what Mr. R. M. Farquharson, Sessions Judge, Patna, wrote to the Governor of Bengal on July 25, 1857—

"It is currently reported here that some of those punished for being concerned in the late outbreak in the City of Patna were convicted by the Commission, presided over by Mr. Tayler, on evidence less reliable even than that I have rejected in Lootf Ali Khan's case. I am not in the least cognizant of what that evidence was, but consider it my duty to report the common opinion on the subject, that Government may take any steps it thinks fit to ascertain the truth of reports, very damaging, not only to the Civil Service, but to the European character at large. I am the more induced to this step from the fact of Mr. Tayler disregarding the Government instructions of the 11th of July, 1857, and persisting in conducting trials himself, notwithstanding the presence of the Judge. Mr. Tayler has probably reported to Government his having tried and condemned to death a trooper of Captain Rattray's regiment since receipt of the Government letter No. 1,179 of the 11th of July above alluded to."

But that was not all. Here was an extract from a Minute by Lord Canning, dated February 5, 1859—

"I believe that in the course of Mr. Tayler's proceedings men were condemned and executed upon insufficient evidence. But since this took place Mr. Tayler has, for other reasons, been suspended from judicial office, and has said that he intends shortly to resign the Service. . . . Mr. Taylor's individual case would, no doubt, be disposed of more thoroughly and incontrovertibly if the opinion of the Judges were taken upon this part of it; but if the omission to do this is not regarded by Mr. Tayler as unjust towards himself, I see no sufficient reason for keeping the discussion open by a further appeal to the Sudder Bench."

Mr. Tayler was subsequently asked whether he wished that an inquiry should be held by the Sudder Court Judges as to whether he had not convicted and sentenced men on evidence which was not reasonably sufficient; and this was what Mr. Tayler, in reply, said in a letter to the Secretary to the Government of Bengal, dated the 24th of March, 1859—

"Under the peculiar circumstances of the case, as Mr. Samuells has disavowed the offensive and dishonouring imputations which his words appear to me to convey, and as I am about so soon to resign the Service, I have no desire to subject myself to any further anxiety or harassment. While, therefore, I am thankful to the Governor General in Council for offering me the option of a public inquiry, I beg respectfully to decline it, and shall take the liberty of submitting hereafter the reasons which have induced me to do so."

So that this gentleman, who had the same charges made against him 30 years ago, and being offered a public inquiry before the Judges of the Sudder Court declined the offer, came to-day to the House of Commons and asked for that public inquiry which he might have had 30 years ago. Moreover, the complaint against Mr. Tayler was not only that he acted with injustice himself, but that he improperly interfered with the course of justice administered by others. A certain person named Lootf Ali Khan was accused by Mr. Tayler, who caused him to be arrested. He was then tried by the Judge of Patna, and while the man was under trial Mr. Tayler wrote a series of letters to Mr. Farquharson (the Judge), Mr. Tayler himself being virtually the prosecutor. In a letter to the Sessions Judge of July 9, 1857, he said—

"Lest the supposed respectability of Lootf Ali Khan should in any way tend to throw doubt on the probability of his guilt, I beg to inform you that Guseeta, one of the most active of the rebels concerned in the late outrage in which Dr. Lyell lost his life, is this man's Jemadar. Guseeta has been sentenced to death by Mr. Lowis and myself. Another Guseeta, clearly implicated in the same crime, states that his mother is ayah to Lootf Ali Khan's mother. That some wealthy party has been at the bottom of the intrigues that are now shown to have been carried on here for months, with an object not to be mistaken, is evident from the fact that men have been kept for months on pay, regularly distributed, under a conditional compact to come forward when called for."

And in a letter to Mr. Farquharson of July 14, 1857, Mr. Tayler said—

"Lootf Ali Khan seems to have had a nest of ruffians in employ; two of the hangees are shown to have been closely connected with him. The man himself admits that he was an *Omedwar* for eight or ten days with him. I fancy hundreds have been hanged on less evidence than this."

On July 14, 1857, Mr. Tayler also wrote to Mr. Farquharson—

"A little more presumptive evidence and Lootf Ali Khan might hang. No one seems to have any moral doubt but that he is deeply implicated, and these are the fellows who do the real mischief, heads worth thousand tails. . . Have the trial rather late, to give me time."

On July 15, 1857, he wrote again—

"As for Lootf Ali, my moral conviction of his guilt is so strong that I should not much fear making a mistake about him."

He now came to the withdrawal order. These were Mr. Tayler's words, writing to the Secretary to the Bengal Government on July 31, 1857—

"I have, therefore, authorized all the officials of the district to come into Patna. Those of Chuprah have been in for some days; they made an attempt to return to Dooriagunge yesterday, but returned when they heard of the defeat of our force."

The order of the Belgian Government gave the reasons for the removal of Mr. Tayler more clearly than anything he could say, and he would read it to the House. It was as follows:—

"August 4, 1857.

"On the 31st ultimo the Lieutenant Governor received a telegraphic message from Gya announcing that the civil officers of the district were about to abandon the station and all in it, including the large amount of cash in the Treasury. As it was known that the residents had up to the day before been fully prepared to repel attack and to defend themselves, having 45 European soldiers and 100 Sikhs, and Sherghotty, with its little garrison close at hand, and no enemy in sight or in present apprehension, this extraordinary movement was wholly unintelligible to the Lieutenant Governor, and he was disposed to blame very severely the injudiciour and pusillanimous conduct of the English officers in question, and did, in fact, send a message after them to that purport. From your letter of the same date, No. 724, which was received late last night and laid before the Lieutenant Governor this morning, he is astonished to find that this most unfortunate and unnecessary retreat was your doing; and that, under the obvious influence of a local panic, you have actually directed the abandonment by the civil functionaries of all the stations in your division. The Lieutenant Governor most strongly disapproves of this act, and considers it not merely injudicious but disgraceful. In the case of Gya, more particularly, it was utterly without reasonable cause, because the station was threatened with no immediate danger, was guarded by a detachment of English and Sikh soldiers, and was in close communication with the trunk road of Sherghotty, where was at the time another detachment of English

soldiers. What terrible and unexpected disasters this error may have brought on the stations thus abandoned the Lieutenant Governor is unwilling to surmise. You have already been directed by electric telegraph"—

the electric telegraph communication having been interrupted, this message was not transmitted—

"to revoke your orders and to send the residents back to their respective stations if it should be found possible for them to return, and it will remain to be seen whether they will return in time to prevent the otherwise inevitable disasters which their absence, if prolonged, is sure to produce. . . . . After the evidence thus afforded of your haste and want of judgment, coming, as it does, after many other reasons for dissatisfaction which you have given to the Lieutenant Governor, it is no longer considered safe that you should continue in charge of your office."

Now, that was the case; these were the facts, and those were the circumstances under which the Government in 1857 had thought it their duty to remove Mr. Tayler from the situation he then held at Patna, and to place him elsewhere in the Public Service. What had happened since threw no fresh light upon the subject. He would gladly stop his remarks there, and allow the House to form its judgment. But so much had been said by the hon. Member for Kensington (Sir Roper Lethbridge) and echoed by the hon. and gallant Baronet the Member for Durham (Sir Henry Havelock-Allan) about this case never having been properly considered by the persons responsible, that he must, in common justice, tell the House what an extraordinary amount of consideration the case had received. Mr. Tayler had appealed, as he was perfectly entitled to appeal, against the decision of the Lieutenant Governor of Bengal superseding him at Patna. The case was considered by the Governor General in Council, and the appeal was rejected. Mr. Tayler then appealed to the Court of Directors in London, who decided against him. By the time that decision reached India the Government of India had come directly under the Crown, and a fresh appeal was made to the first Secretary of State for India, the present Lord Derby. That appeal was answered in a despatch which showed that Lord Derby fully understood the case with which he had to deal. From the time that the case was so decided, it was not again revived until 1867 or 1868. A great deal had been made of some trials which took place about 1865, which, however, had really nothing to do with this case. There had been four Wahabees arrested at Patna in 1857; no evidence was forthcoming against them, and all were released. Of these four, one was implicated in a conspiracy with reference to the North-West Frontier disturbances about 1863 and 1864. He was tried in 1865, but it was for assisting the rebels in Sittana to urge war against the British Government, and though he was found guilty, there was no evidence implicating him in any conspiracy in connection with any contemplated rising at Patna in 1857. What the trial in 1865 had to do with the case of Mr. Tayler no impartial judge had ever been able to make out. If this man's conviction in 1865 was so important a matter, why had it been allowed to sleep from 1865 to 1868; and why, when Mr. Tayler first made his appeal to Sir Stafford Northcote, had he asked merely for the grant of some honour? In the autumn of 1868, Mr. Tayler had sent in his celebrated Memorial, which was too late to be dealt with by Sir Stafford Northcote, but afterwards came under the consideration of the Duke of Argyll, who succeeded Sir Stafford on the change of Government. Now, a great deal had been said about the loss of this document. Well, it was lost, but a copy of it survived, and no injury had been done to Mr. Tayler through the loss of the original Memorial.

SIR ROPER LETHBRIDGE: The copy was supplied by Mr. Tayler himself afterwards.

SIR JOHN GORST said, he did not see how that made any difference. The hon. and gallant Baronet the Member for Durham had drawn a picture—which had almost moved him to tears, official though he was—of the condition into which the negligence of the India Office had put Mr. Tayler. But they were not lawyers, and an authentic copy was as useful as the original document. There was an authentic copy in the India Office, on the Table of the House, and in the Library. The Duke of Argyll's decision, no doubt, was never communicated to Mr. Tayler; but that was very much Mr. Tayler's own fault. He went away to India and begged there might be no decision till he came back. When he came back, he communicated repeatedly with the India

Office; but for years he never asked for any decision regarding his case. Though, no doubt, it was an oversight not to communicate the decision to him, that was, as he had already said, very much Mr. Tayler's own fault. And from that day to the present, this case had been before every Secretary of State. Every Under Secretary, every Member of Council, everybody who had had anything to do with the administration of affairs in India for the last 20 years had had to consider it. For his own part, the House knew very well he could not reveal the secrets of his prison house; but he pledged his word, from memoranda which he had himself read from some of the most illustrious men who had served the State in India, that the case of Mr. Tayler had been most carefully considered again and again and again. It would be idle for his noble Friend the present Secretary of State for India to constitute himself into a Court of Appeal against the decision of every one of his Predecessors who had held the Seals of the India Office. The House had now the whole case before it. He had no prejudices of his own; but he hoped he had stated enough to lead the House to believe that the Government of Lord Canning in 1857, when it thought it consistent with its duty to remove Mr. Tayler from the position he held at Patna, was not animated by those unworthy motives suggested by the hon. and gallant Member, but solely by a desire to save India from an extreme peril, and because it honestly believed he was a man whose administration was likely to prove inimical to the safety of the Indian Empire.

MR. LABOUCHERE (Northampton) said, that personally he knew nothing of Mr. Tayler; but, like most hon. Members of the House, no doubt, he had read a good deal of correspondence and a great many pamphlets on the subject. Generally speaking, he did not read the pamphlets sent to him complaining of grievances; but a friend of his who knew Mr. Tayler had urged him to read the one in Mr. Tayler's case, saying, "Look into it yourself!" Well, he had looked into it, and, though he would not, for his own part, justify everything that Mr. Tayler had done, he was convinced that this gentleman had experienced substantial injustice. He was not alone in that opinion; that opinion was shared by the hon. Gentleman the Under Secretary of State for India (Sir John Gorst), because, in 1879, a Petition was presented to the House of Commons through the late Sir Stafford Northcote, as Leader of the House, signed by the hon. Gentleman amongst others, stating that it came from Gentlemen deeply interested in Her Majesty's Indian Empire, and that they, being fully acquainted with the eminent services of Mr. William Tayler, in saving the great Province of Patna in the Mutiny of 1857, and of the manner in which his services had been requited, could not but express approval of the Petition lately addressed to the House by Mr. Tayler, and therefore prayed that the House would be pleased to consider the extraordinary amount, variety, and weight of the evidence on record as to the eminent services rendered by Mr. Tayler. With regard to the investigation in 1865, which the hon. Gentleman the Under Secretary of State for India sneered at, it was said, in the Petition he had signed, that amongst other reasons for doing justice to Mr. Tayler was the reason that two members of the Supreme Council in Calcutta, Sir John Lowe and Mr. Dorey, had expressed regret that they had been misinformed as to the facts of the case which led to the arrest of the Wahabee conspirators, it having been proved that those persons were dangerous traitors. The hon. Gentlemen had given them his official view of the case; but in the Petition which he had signed when not in Office he had given an independent view as a person interested in, and knowing much of, the Government of India. Well, the hon. Gentleman had gone back to the question of the withdrawal order through having given which Sir Frederick Halliday, the Lieutenant Governor, charged Mr. Tayler with having yielded to panic. The hon. Gentleman had alluded to an appeal made by Mr. Tayler to the Directors of the India Company. What did they reply to that appeal? They replied that they considered Mr. Tayler's conduct praiseworthy in the main, but that he had been guilty of an error of judgment—nothing but "an error of judgment" in issuing this order of withdrawal. He (Mr. Labouchere) was not a military man, and did not know whether the order of withdrawal was a

wise or foolish one. All he knew was this, that the men to whom the order was sent were our outposts, and that they knew what was going on, Europeans being destroyed in all parts of the country, that there were no troops near them, and that they, therefore, could not withdraw, and that no sooner did they get troops near them than they withdrew themselves and their treasure, not to Patna, which was near, but to Calcutta, which was 400 miles off. Therefore, the order seemed a perfectly reasonable one, though he was free to admit that it might have been an error of judgment. The hon. Gentleman had called attention to the action of Mr. Tayler in hanging and imprisoning inhabitants of Patna. These charges had really never been made against Mr. Tayler by the Lieutenant Governor except under circumstances which he would show. It was true that Mr. Tayler did arrest 30 men, and had about 14 hanged. The hon. Gentleman the Under Secretary of State for India said he supposed that it was only those who approved of coloured men being hanged because they were coloured men who would applaud. But what had occurred? The House would remember that this Town of Patna was a town of 2,000 inhabitants, and that the Province round it that was to be kept down consisted of 11,000,000 inhabitants. It must be remembered that it was the great centre of the Wahabees for a long time, and that so far back as 1846, and for a number of years before, these Wahabees had been discovered tampering with the loyalty of the Sepoys. There was a considerable European population there, and Mr. Tayler was responsible for their lives. He was obliged to take exceptionally severe measures. He (Mr. Labouchere) considered that all this hanging and shooting was far too severe, but that was not the question at this moment; they must take the matter from the Governmental point of view. Mr. Tayler was not attacked by men like them, Radicals, but he was attacked by Members of the Government, who lauded and praised others who did precisely what Mr. Tayler had done, and that was where he (Mr. Labouchere) thought that injustice had been done. Dr. Lyell, as the hon. Gentleman had said, was murdered. That was nothing. It was a little *émeute* which lasted only three quarters of an hour. Waris Ali was condemned to death and executed, but he (Mr. Labouchere) would point out that Colonel Malleson in his history —from which the hon. Member had read one or two extracts—said that upon his person were found a number of compromising letters. Waris Ali was not executed until after Dr. Lyell had been murdered, at the same time as the other prisoners were, in order, no doubt, to keep down the insurrection which was ready to break out. It must be remembered that these Wahabees were ready to rise in insurrection at any moment in Patna, that the garrison at Dingapore had been decimated, that the commander at Arrah had been killed, and that Europeans were still there and were being surrounded by a mass of mutineers who were trying to take their lives. Whilst he deprecated all this severity, he did think that the Government itself should look at the matter with a certain amount of leniency and should not bring up a charge—which had practically never been made before —30 years after the occurrence of the event. Sir Frederick Halliday did examine the records to see whether a charge could be substantiated against Mr. Tayler for having illegally permitted these executions. He submitted the records to Judge Latour—an eminent Judge in Calcutta. Judge Latour could make nothing of them. He could not say that injustice had been done, looking at the way that justice was dealt out at that time, and Sir Frederick Halliday never again alluded to the charge. But there was a Mr. Samuells there who had been sent to replace Commissioner Tayler. Mr. Samuells, it appeared, had a strong feeling against Mr. Tayler, and after the records had been examined and Sir Frederick Halliday had said there was nothing in them, this gentleman brought the charge for a second time and asked to be allowed to examine the records. Why on earth should he do that? Sir Frederick Halliday had already done it. What was his charge? Why, that the majority of the people at Patna considered that the criminals who had been sentenced were innocent. Mr. Samuells was called on to substantiate his charge, and an inquiry took place, and what did that inquiry say? Why, that there were certain criticisms as to the proceedings and evidence that might be

brought forward, but that the actual charge of having sentenced these men who were innocent to the knowledge of the people of Patna was not proved. The whole point at that time was that there had been errors in taking evidence. The House was somewhat surprised when it heard from the hon. Gentleman the Under Secretary of State for India that Mr. Tayler had been told that he should submit his case to the Judges of Calcutta, and that he had refused to do so. It must be remembered, however, that Mr. Tayler was then being attacked by all the officials, who were very much inclined, on their parts, to hang together. Mr. Samuells wrote a despatch to Sir Frederick Halliday on this matter. He (Mr. Labouchere) would give one or two words from it to show the sort of language used by one of these officials in writing to another as to Mr. Tayler. He said Mr. Tayler's despatches were "daubed with the blackest colours against his immediate superior the Lieutenant Governor and his successor;" that he was "guilty of dishonest artifice;" that "much of what he said was pure slander;" that what he had done was "a simple piece of impertinence;" that he was guilty of "a pack of impudent libels;" that he was "utterly unscrupulous," a "charlatan;" that he was "guilty of bare-faced clap-trap;" and that he "simply talked nonsense." One would have thought that Sir Frederick Halliday would have deprecated that language. He said, however, that "the despatch was written in somewhat less measured terms than was customary in official correspondence, but that it was a very successful performance." Under the circumstances, when it was proposed to Mr. Tayler to submit for inquiry the one point, whether he had been guilty of technical illegalities as to the sentences at Patna, he was perfectly right in refusing to accept the reference, because the main charge was that he was guilty of panic in the matter of the withdrawal order. No sort of proposal or offer was made to Mr. Tayler, telling him that this would be submitted to the Judges or anyone else. Now he (Mr. Labouchere) came to what happened in England. He had stated, so far as he could understand it, what took place in India from the speech of the hon. Gentleman, and the official papers they had. What happened in England? Unquestionably, Mr. Tayler did apply to Sir Stafford Northcote. What did Sir Stafford Northcote say? He promised, in a letter which had been read in the House, that there should be a full and fair inquiry, and handed over his letter to the Duke of Argyll. Now there was a sort of continuity in public offices. When one Secretary of State promised a full and fair inquiry, his Successor was bound to make that full and fair inquiry. But what happened? Why the Successor in this case made no inquiry at all. It was not pretended that he did. All that was produced was a scrap of paper on which the noble Duke wrote, that in his opinion the case ought not to be re-opened. After that, Mr. Tayler went to India. The hon. Gentleman the Under Secretary of State for India said, it was that Gentleman's own fault—owing to his own negligence—that he did not get an answer from the India Office. He (Mr. Labouchere) understood that Mr. Tayler was invited by Lord Northbrook—who was Governor General at the time, and who had a better opinion of this gentleman than the hon. Gentleman the present Under Secretary—to go over to India in some sort of capacity on the occasion of the visit of the Prince of Wales, and he went over to India. He did not, however, receive from the India Office any statement that any decision had been come to in the case. The last official declaration made to him was that there was to be a full and fair inquiry. He awaited that inquiry, and had a perfect right to expect that it would take place, but when he at last read in a newspaper that the papers he had sent in had been, in a most extraordinary fashion, stolen, and that all that remained was a scrap of paper with words written on it that the case was not to be re-opened, he at once wrote to the India Office asking what was to be done. All he was told was that the Duke of Argyll had said that the case would not be re-opened. Four successive times Lord Salisbury, Lord Beaconfield and others, had questions put to them in the House of Lords. What was the answer given in the House of Lords? Were the charges now made by the hon. Gentleman the Under Secretary of State brought against Mr. Tayler? Not a bit of it. The reply made was that such a long time had

elapsed that the inquiry could not be made. He admitted that, considering the doubtful evidence, there was great difficulty, in a debate like this in the House of Commons, in coming to a clear decision. But, there was the expressed opinion of historians and eminent men like Sir Bartle Frere, that this man had been treated with injustice. For a large number of years he had applied for justice, and from the fact, the impartial fact, that Sir Stafford Northcote in his official position of Secretary of State for India had promised an inquiry, an inquiry ought to take place. He did not know whether Mr. Tayler was worthy of honours or orders, but he did know this, that many men who were respected in the House thought so. The Press of India was of that opinion. Lord Napier of Magdala, Sir Bartle Frere, and many others had demanded that he should have honours. In any case, the hon. Member for North Kensington (Sir Roper Lethbridge), who had brought forward this matter, and the hon. and gallant Baronet the Member for the South-East Division of Durham (Sir Henry Havelock-Allen), who had seconded the Motion, had made a fair case for inquiry, and he (Mr. Labouchere) did hope, that as this man was now 82 years of age, and it was not to be expected that he would remain in this world for ever, before he was removed from the world he would be allowed to have this inquiry—some form of Commission or Select Committee or something of that kind. That was all he (Mr. Labouchere) pleaded for, and he maintained that they had made out a *primâ facie* case in favour of the Motion.

MR. J. M. MACLEAN (Oldham) said, the hon. Gentleman the Member for Northampton (Mr. Labouchere) began his speech with the ingenuous confession that he knew hardly anything about this subject. The hon. Gentleman did not quite do himself justice in making that statement, because his speech showed them he knew a great deal; unfortunately, however, his knowledge was all on one side. The hon. Gentleman referred to the great number of pamphlets and memorials which had been distributed amongst the Members of the House. It was a fact that this subject had been overlaid with an enormous mass of literary material extending over 30 years; it was so voluminous that Members of the House might be pardoned for not trying to make themselves acquainted with it. But that literature was almost entirely composed of the essays of Mr. Tayler himself, and of the evidence he had contrived to bring together during the last 30 years, in order to show he was unfairly treated during the time of the Mutiny. Anybody who took the trouble to look through the official documents which the hon. Gentleman the Under Secretary of State for India (Sir John Gorst) had said were in the Library of the House, and read the answer of Sir Frederick Halliday to the memorial of Mr. Tayler—true, it was written some 10 years ago—would know there was a very great deal, indeed, to be said on the other side. He (Mr. J. M. Maclean) admitted that Mr. Tayler had been very fortunate in his advocates in the House that evening. His hon. Friend the Member for North Kensington (Sir Roper Lethbridge) stated the case with great moderation and dexterity, and the hon. and gallant Gentleman opposite (Sir Henry Havelock-Allan) seconded the Motion in a speech which appealed to all the generous instincts of the House, and which was full of personal reminiscenes of the Mutiny that were rendered very interesting by the references to the deeds of his illustrious and ever to be lamented father. But it was necessary they should approach the discussion of this question without having their feelings so strongly moved. There was one passage in the speech of his hon. Friend the Member for North Kensington which he very much regretted to hear, and which greatly disfigured the speech. The hon. Gentleman permitted himself to insinuate that Sir Henry Maine in advising the Council of India not to re-open this case was animated by some paltry personal feelings arising out of a quarrel——

SIR ROPER LETHBRIDGE said, he distinctly stated that he made no imputation, and he wished to make none. He stated, he believed that no imputation could properly be made, and in referring to ancient feuds, he remarked that surely at that time those feuds might be forgotten.

MR. J. M. MACLEAN denied that there was any private quarrel between Sir Henry Maine and Mr. Tayler, though they were opposed in some paltry case.

But to what purpose did the hon. Member introduce any mention of that case, except to create a prejudice against Sir Henry Maine, and to suggest to the minds of hon. members that that eminent man had been animated by some other motive than a regard for truth and the public interest when he advised, three years ago, that this case should not be re-opened by the India office? Mr. Tayler himself was spoken of by the hon. Member for North Kensington as a ruined and broken man. But certainly Mr. Tayler's conduct during the last 30 years had not been that of a ruined or broken man. Mr. Tayler had shown a most extraordinary spirit in the misfortune he was supposed to have suffered. Now, what was the position in which this gentleman was actually placed by the Government of India? Many Members of the House possibly supposed that this man was cast adrift, without a penny in his pocket, utterly ruined in character and fortune. What were the facts of the case? Mr. Tayler was, at the time of the Mutiny, the Governor of the Province of Patna, and in receipt of a salary of about £4,000 a-year. When he was superseded by Sir Frederick Halliday, he was appointed to a Judgeship, in which position he received about £3,000 a year. That was not a very great fall in his income. It was subsequent misconduct whilst he held that position which placed him in such a difficulty that he thought himself compelled to resign the Service. But he retired with the full pension of a Civil Servant—£1,000 a-year, and it was well known to many that Mr. Tayler, far from being broken in fortune, had always been regarded as a wealthy man, as a man who, after leaving the Civil Service, employed to very great advantage his extraordinary natural abilities as a pleader in the Courts of India. Besides that, Mr. Tayler had never acted towards those with whom he had differences in the spirit of a man who merely sought justice and was anxious to vindicate his reputation. On the contrary, he had assailed Sir Frederick Halliday with a bitterness of feeling which, no doubt, was natural enough in a man who conceived himself to be suffering under a great injustice, and with a prodigality of invective which might move even a temperance orator to envy. This had been going on for 30 years. Every month and every year, Mr. Tayler had been assailing Sir Frederick Halliday in this way. He had pressed into his service the aid of newspapers both in India and this country; he had enlisted on his side historian after historian, and he had obtained testimonials from a large number of distinguished men whom he had besieged with importunities and to whom he had made out a very plausible case. Everyone knew that when they were approached by a man with a grievance they were disposed, either from indolence or from good nature, to say something satisfactory to him, in order that he might not trouble them any longer. This had been the way in which Mr. Taylor had borne himself during the last 30 years, and now they had the whole story re-opened; they were asked to begin again an inquiry which was closed, and which ought to have been put finally on one side when it was disposed of by Lord Stanley, the Secretary of State of 1859. The Under Secretary of State (Sir John Gorst) had gone into the whole story of Mr. Tayler's proceedings at Patna, for some little time before he issued what was now so well known as "the withdrawal order." He (Mr. J. M. Maclean) observed there were cheers from some Members of the House when it was pointed out that Mr. Tayler acted in an insubordinate manner for a long time towards the Lieutenant Governor of Bengal by failing to keep the Lieutenant Governor informed as to what he was going to do. If Mr. Tayler had been the Governor of a Province perfectly isolated from the Government at Calcutta, and had been thrown on his own resources, he would have been justified in acting as Lord Lawrence did in the Punjab, and as Sir Henry Lawrence did in Oude, and as other distinguished men engaged in suppressing the Mutiny acted elsewhere, in making the best of the means at his command. But he was in constant communication by post and electric telegraph with Calcutta. There was no difficulty in communicating with the Lieutenant Governor, and telling him exactly the course of his proceedings. Suppose the Governor of every Province in communication with Calcutta had chosen to do exactly as he liked, and had never let the Lieutenant Governor know what was going on, the whole administration of India

would have collapsed. It would have been impossible to have any subordination or any rule whatever. But he (Mr. J. M. Maclean) now came to the withdrawal order, a most important matter in the case. He heard a good deal some years ago about the whole business from Mr. Tayler himself, and he read carefully all the letters and pamphlets which Mr. Tayler submitted to him at that time. He confessed that at that time he was, like many hon. Members, under the belief that Mr. Tayler had perhaps not been very fairly dealt with. Mr. Tayler was such a clever and practised controversialist, and he put his case so plausibly, that, until one looked carefully into the materials on the other side, he was naturally carried away by what he was told. Let the House consider what the withdrawal order which Mr. Taylor issued was. Three Native regiments had mutinied and got away with all their arms, without being attacked by the European troops. They had crossed the river and were besieging Arrah. A detachment of British troops was sent against them, but was defeated with loss, and had to retire on Patna. Immediately, Mr. Tayler, who was a man of eager and impulsive disposition, took the sudden resolution that the whole of the Europeans throughout the Province of Patna ought to abandon their stations and concentrate themselves in Patna. Nor was he satisfied with that, but he addressed a letter to Major Vincent Eyre, who was on his way up the river with a small force, and intended to march to the relief of Arrah from the opposite direction, begging him not to advance. It was said he did not write to Major Vincent Eyre in these specific terms, but he himself said, on August 22, 1857, "I myself and the General, in concurrence with the military authorities, wrote officially to order him not to advance." Now, what was the meaning of an order for the concentration at Patna of all the Europeans at the different stations throughout the Province? It meant the complete abandonment of the heroic little garrison of Arrah to certain destruction by the besieging force of rebels. It meant the determination that no help should be given to any Europeans who remained there. The hon. Baronet (Sir Henry Havelock-Allan) spoke of the failure of that great general, his father, to advance to Lucknow, and of his writing to Colonel Inglis there, telling him he must do the best he could, as he could not advance further, and, when all his means were exhausted, he must try to cut his way through. But Major Eyre had not tried to advance, and failed. It was not until every effort had been used by Sir Henry Havelock to relieve Lucknow, that he for a time gave up the attempt and fell back to Cawnpore. But this was an order not to attempt relief at all, but to give it up as a bad job and leave our men to be massacred. Look at the disastrous effect of such an order. It was said that Sir Vincent Eyre, some years afterwards, when Mr. Tayler appealed to him, said he thought the letter was justified in the circumstances of the case. Sir Vincent Eyre was a successful and honourable man; he could afford to be magnanimous, and he said that, no doubt, in a spirit of compassion to Mr. Tayler. But the question was not what he said long afterwards, but what he did at the time. Sir Vincent Eyre neglected the order, advanced, dispersed the rebels, and secured the safety of the Province. He (Mr. J. M. Maclean) thought he had said enough to show what a miserable error of judgment this order, which was issued by Mr. Tayler, was; what a terrible example was thus set to Englishmen in authority throughout India at a time when the Empire could only be saved by the constant maintenance of the highest possible standard of public virtue. The hon. Member for Northampton (Mr. Labouchere) said, "Oh; it was only an error of judgment!" But, surely, it was one of those errors of judgment which the men at the head of the Government of India at that time were bound to punish with the utmost severity, and that was the course which Sir Frederick Halliday, or Lord Canning, acting on Sir Frederick Halliday's advice, pursued. He (Mr. J. M. Maclean) hoped he would be permitted to say a few words with regard to the complaint that Mr. Tayler's appeals had never been heard properly by the Government of India, or by the Council of India in this country. It had been pointed out by the Under Secretary of State (Sir John Gorst), that the Court of Directors confirmed the decision of Lord Canning, and that on an appeal to the Secretary

of State, Lord Stanley, in 1859, that decision of the Court of Directors was further confirmed. He could not trace, from the records available to them, that anything more was done until about 10 years afterwards, but about that time a Memorial was presented. It was said that this Memorial was read over by the late Sir Stafford Northcote; that he promised that the Duke of Argyll should deal with the matter, but that nothing more took place. The Under Secretary of State for India said that night that his lips as an official were sealed with regard to the opinions of distinguished men on the other side of the question to that put forward by Mr. Tayler's friends. It so happened he (Mr. J. M. Maclean) had in his possession the opinions of two very distinguished men upon the other side, and as he was an unofficial Member, perhaps he might be permitted, without a breach of secrecy, to make two or three quotations from them. He had before him a Minute, dated November, 1868, and written by Sir Erskine Perry, on the Memorial of Mr. Tayler which was submitted to the India Office in 1868. Sir Erskine Perry went thoroughly into the case, and argued it out from beginning to end. There were many Members of the House who must remember who Sir Erskine Perry was. A fairer minded man never existed; he was an upright, able, and impartial Judge, a man who had been for many years at the head of the High Court of Bombay, and who absolutely knew nothing about the miserable personal feuds in Bengal, which were said to be at the bottom of this dispute. Well, Sir Erskine Perry went into the case, and this was what he gave as his judgment upon it:—

"The only new matter which appears in this Memorial, with the exception of the oft reiterated but, for aught that appears, most empty boast that 'he saved Patna' during the period in question, is the fact that one of the Mussulmans, whom he arrested as a hostage in 1857, was seven years afterwards arrested and convicted for participation in a subsequent Wahabi conspiracy. It appears to me that this matter is wholly irrelevant to the subject under consideration. Even if this Wahabi had been convicted and hanged by him, as others were, it would not have affected in the slightest degree the questions whether Sir Frederick Halliday was justified in removing him from his post and withdrawing from him all confidence. It was admitted at the time that in several circumstances he had displayed great energy and vigour, and he was praised for it; but the question still remained whether he was properly removed. He placed his conduct in every possible light before Her Majesty's Government, with all the skill of a most able and practised writer, and I am sorry to add with all the latitude of expression which an unscrupulous man permits to himself; nevertheless, the decision of such a distinguished lover of justice as Lord Canning was absolutely against him, and to my mind this ought to be conclusive against opening up the inquiry again. But, as it has become necessary to go into the inquiry, I will record here the considerations which a full examination of the case has forced upon me. Sir Frederick Halliday selected Mr. Tayler for the very important post he held at the breaking out of the mutiny, and seems to have passed over some seniors in making the selection. The bias, therefore, of Sir Frederick Halliday towards Mr. Tayler was naturally favourable. This natural bias was disturbed by Mr. Tayler's own conduct. Previously to the breaking out of the mutiny, Mr. Tayler's conduct towards his chief was such as necessarily to destroy all confidence in him, and it deserves to be noted in order to bring home to Indian administrators its full culpability. Mr. Tayler having occupied himself in getting up subscriptions from Natives of rank in behalf of an industrial exhibition, which he assured the Lieutenant Governor was entirely voluntary, complaints reached the ears of the latter that many of these subscriptions had been extorted under the pressure of official coercion; he thereupon directed Mr. Tayler to make inquiry as to the facts, upon which Mr. Tayler sent up all the statements confirming his own account of the transaction, but suppressed all that were unfavourable, and, when these afterwards transpired, he justified having done so. There is little doubt then that, had the mutiny not broken out, Sir Frederick Halliday would have removed him from his post. When the mutiny broke out, we find Mr. Tayler assuring the Lieutenant Governor that Patna was safe, but at the same time advisedly withholding from his chief information of his proceedings, because he chose to consider that Sir Frederick Halliday would have disapproved of them if he had been informed. Such an act of insubordination would also have justified removal from office. It was at this period, when on two separate grounds Sir Frederick Halliday would have been justified in removing Mr. Tayler, that the latter issued the order for calling in Europeans, on which he was actually removed. A recapitulation of these facts shows that no other course was open. As soon as Mr. Tayler was removed his course was equally reprehensible. He resorted to the Press and to pamphleteering in the most outrageous form; he seems to have been the leader in those attacks on Clemency Canning, which so much outraged the English sense of good feeling; he was, I think, somewhat unwisely re-instated in high office—a judicial one—by Sir Frederick Halliday; but the violence of his conduct and unjustifiableness of his attacks again led to his suspension from office by the Supreme Government. I quit the inquiry with the full conviction that no injustice was done him, and that he was a thoroughly untrustworthy public servant."

That was the opinion of Sir Erskine Perry, and there could not be a doubt that the Duke of Argyll had that opinion before him, when he decided that the case could not be re-opened. Then there was a Minute by Sir Henry Maine. He would not trouble the House by quoting from it—it was sufficient to say that the writer took exactly the same view of the case as Sir Erskine Perry did. It was proposed that night that the case should be re-opened, and that a Select Committee of the House of Commons should be appointed to inquire into events which took place 30 years ago. Most of the men who were responsible for what took place could not come forward to give evidence; but it was an extraordinary circumstance that both Sir Frederick Halliday and Mr. Tayler survived at the present day. They were both old men, and he entreated the House to remember that there were two characters at stake in the matter. There was not only at stake the character of Mr. Tayler, but also the character of that distinguished servant of the Government of India, Sir Frederick Halliday. They could not absolve Mr. Tayler from blame, and endorse the accusations he had made against Sir Frederick Halliday, without declaring that a man who had received the thanks of Parliament for his distinguished services must have been one of the basest of human beings, a man who was animated by low personal motives of malignity against Mr. Tayler, and did him the grossest injustice by removing him from the Public Service on that account. He hoped the House of Commons would deal with this question in a thoroughly judicial spirit, that they would appreciate the conduct of successive Governments in determining, after full inquiry, it was impossible to re-open the case; and that, having heard what Mr. Tayler's most eloquent advocates had had to say, they would decide that the case must now be left to the verdict of posterity.

MR. JEFFREYS (Hants, Basingstoke) said, he regretted very much that the Government were unable to see their way to support this Resolution. It seemed to him it was only an act of justice and fairness to Mr. Tayler, who had worked all his life as a Civil servant in India, that there should be an inquiry into his case. The hon. Gentleman the Member for Oldham (Mr. J. M. Maclean) said Mr. Tayler was a man of spirit, and had been able to earn a good deal of money. He had no doubt Mr. Tayler was a man of spirit, and he acted at Patna like a man of spirit. One of the chief charges brought against him was that he had acted with insubordination. It was not shown that Mr. Tayler acted against orders, but merely that he acted without orders, and hon. Gentlemen would remember that in those critical times in India there was no time to send to Calcutta for instructions. Many men were obliged to act on their own responsibility. Mr. Tayler did so, and Patna was perfectly safe during the Mutiny. It was not shown that he acted with any injustice to anybody, but only took certain measures which were necessary for the security of the town and district. He (Mr. Jeffreys) would remind the House that by the Motion they were not asked to decide on the merits of the case. They were not asked to decide whether Mr. Tayler acted rightly or wrongly, but merely to give him an investigation. It would only be an act of justice on the part of the Government to allow an investigation to take place.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he only desired to say a few words before the Division was taken. Generally speaking, under ordinary circumstances, there was nothing fairer or more reasonable than a demand for inquiry; but in the present case the question really was whether the Government were to support their officers in the discharge of their duty. The House was asked to sanction what would really be an inquiry into the conduct of Lord Canning and the Government of India in 1857. Bearing in mind the extracts from Lord Canning's Minute of February 5, 1859, which had been read by the Under Secretary of State for India, he thought there could be no doubt that Lord Canning was at the time anxious to do full justice to Mr. Tayler. Would it be advantageous to the Public Service, and for the good of the State, that, after an interval of 30 years, an inquiry should now be held by the House of Commons? However much hon. Members might sympathize with a gentleman of advanced age, who believed that he had suffered wrong, let them remember that at the time of

these occurrences, when all the requisite evidence was procurable, this gentleman was offered an ample judicial inquiry, and deliberately declined the offer. In the circumstances, he submitted that it would not be right for the House to enter upon an investigation of the circumstances of the case.

Question put.

The House *divided*:—Ayes 184; Noes 20: Majority 164.—(Div. List, No. 155.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

WAYS AND MEANS—*considered* in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1889, the sum of £5,570,712 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported upon *Monday* next.

CUSTOMS (WINE DUTY) BILL.

(*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson.*)

[BILL 293.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short Title).

DR. TANNER (Cork Co., Mid) said, on going through the clauses, he found that the Bill dealt only with sparkling wines, and had for its object the imposition of a differential duty on wines of a cheaper kind—wines of a character and nature which, as a medical man, he could not but think the Chancellor of the Exchequer would be wiser to tax heavily, while allowing the pure productions of the juice of the grape to be introduced free of duty. With that, however, he could not now deal; he only now suggested that, inasmuch as this was a Bill for imposing a duty on sparkling wines, it would be in the interest of accuracy if the word "sparkling" were introduced in the parenthesis.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

DR. TANNER said, he really must press for an answer.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he did not wish to be discourteous to the hon. Member, but he really thought the hon. Member's remarks were rather good humoured banter than in support of a seriously proposed Amendment. It was an Amendment he was unable to accept. The Bill had been carefully drafted, and in reference to the remarks on the character of the cheaper wines it would be observed that the proposition had no relation to the alcoholic strength or purity of the wines.

DR. TANNER said, after that explanation he would not press the matter.

Question put, and *agreed to.*

Clause 2 (Duty on sparkling wines in bottle).

MR. CAVENDISH BENTINCK (Whitehaven) said, he had an Amendment to this clause, to omit the words "sparkling wine imported in bottle." That would bring back the proposal to the form it assumed when it was originally put before the House. On the previous night, he made a few observations on the second reading, and called his right hon. Friend's attention to the fact that the wine trade generally approved of the original proposal, and could see no reason why "still" wines should be exempted from the duty. He would not pretend to speak on the subject with any authority himself; but he had had the opportunity of conversing with leading members of the association which represented nearly all the principal wine traders in the country, and he was able to say in their name, as to the observations of the right hon. Gentleman on their action in regard to light wines, that the effect of the alteration of duty, as the Bill proposed, would be to give encouragement to the adulteration of still wines in this country. His right hon. Friend last night committed himself to the proposition that it would be of advantage to the consumer if still wines were imported in bottle; but for reasons supplied by the authorities he had referred to, and from the opinions of experts, he was able to say that the proposition of his right hon. Friend was entirely fallacious, and that no consumer of the cheaper light wines would have suffered from the legislation proposed by his right hon. Friend. There was no doubt whatever that all the poor wines that were imported, whether from

France, Germany, or Italy, could be best imported in cask.

THE CHAIRMAN: I am sorry to interrupt the right hon. Gentleman on a point of Order. The point is one of very considerable nicety; but this clause carries out a Resolution passed in Committee of Ways and Means, authorizing the imposition of 2*s.* 6*d.* a gallon on sparkling wines. Before that there had been a duty of 5*s.* a dozen on all wines; but, inasmuch as the duty being imposed by the gallon, increases the duty on wines imported in larger bottles, it is impossible to go beyond the Resolution passed in Committee of Ways and Means. If sparkling wines were struck out, it would impose on magnums, jereboams and larger bottles, a greater duty than is now levied; the Amendment therefore cannot be moved.

MR. CAVENDISH BENTINCK said, he regretted that that ruling had not been given earlier; it would have saved his occupation of the time of the Committee. Accepting the decision, he had only to say that he should support the next Amendment, if moved by the hon. Member for Kilmarnock.

MR. S. WILLIAMSON (Kilmarnock, &c.) said, his Amendment was aimed at that seriously objectionable principle in the Bill, the establishment of an *ad valorem* duty in our Customs regulations. He was quite sure that the scheme as embodied in the Bill for imposing a differential duty of 2*s.* 6*d.* a-gallon, or 5*s.* a dozen, in addition to the present duty on expensive wines, and establishing a lower duty of 2*s.* on wines under 30*s.* value, would open the door to a great deal of fraud, which he did not see how it was possibe for the Customs to check. He was quite sure that shippers would ship "green" wines, possibly unfit for sale at a high price at the moment, but which would after an interval be worth 60*s.* or 70*s.* But they would be invoiced at 30*s.* a-dozen, or 15*s.* a-gallon, and he did not see how the Customs Authorities could check the practice. Of course, they might be tested; but, still, he defied the Chancellor of the Exchequer to tell the Committee how there would not still be open the means of fraud of a very serious character. What was quite as bad was that while fair traders would be subject to a disadvantage, unscrupulous traders would gain an advantage on wines that in the course of a year or two would be worth 50*s.* or 60*s.* a-dozen, but which would be imported as costing 28*s.* or 30*s.* The honest trader's invoice would fairly state the value of the "green" wines; but not so the invoices of the unscrupulous shippers. How could the Customs apply a test? The invoices would be produced, and evidence would be given, all in perfect order. Unfortunately, he had had some experience of what was possible, and what had been done in invoicing. Foreign merchants entered into keen competition with us, and much as was said about the progress of Continental trade, he was afraid that much was done by unscrupulous invoicing and the defrauding of Customs abroad. He felt sure that the Government proposal would work injuriously to the fair trader, and with no advantage to the Revenue of the country. His proposal was that instead of a duty of 5*s.* a-dozen on the better class wines in addition to the existing duty, and 2*s.* on the common wines, to place a duty of 4*s.* all round. He was quite sure that the fair traders, even when importers of cheap wines about 30*s.* would rather pay 4*s.* than be subjected to the risk of unscrupulous competition. For that, and a variety of other causes, he begged to move the Amendment of which he had given Notice. Should it commend itself to the Chancellor of the Exchequer, he would, probably derive from it a larger revenue than from the Bill as it stood. As a natural consequence, Clause 3 would come out, and the other Amendments would fall to the ground.

Amendment proposed, in page 1, line 19, after the word "bottle," to insert the words "in bond, bottles, and in cases, or other packages."—(*Mr. Stephen Williamson.*)

Question proposed, "That those words be there inserted."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, as he understood the proposition of the hon. Gentleman, it was to impose a duty of 4*s.* a-dozen on all wines. [Mr. S. WILLIAMSON: All sparkling wines.] The duty would be 4*s.* on Saumur and cheap wines of about the price of 20*s.*, as well as on the high priced Champagnes. But the general view of the House, so far as he had been able to gather it, was that a heavy duty should not be imposed on cheap wines; that it would not be wise

to handicap cheap wines in the manner suggested. He was aware that there was on the part of a large portion of the trade an anxiety to have a heavy duty put upon cheap wines. Importers of high-class wines viewed with great disfavour the importation of cheap wines at 24*s.* or 30*s.* a-dozen, and were annoyed somewhat that a change in duty should enable these cheap wines to be introduced without the penalty of the same duty as was paid on the dearer wines. He did not wish to argue the question at length, for he considered it was more or less decided by the previous debate; but, of course, if the hon. Member desired to press his Amendment, he would be prepared to meet him and maintain the contention that the cheaper wines should not be excluded or handicapped by a heavy duty. He did not know whether the hon. Member put forward his proposition simply to avoid the *ad valorem* principle, or whether he shared the feeling of hostility existing in some quarters to these cheap wines; but he rather gathered it was because the hon. Member felt the difficulty of levying an *ad valorem* duty, that he desired to make the duty uniform? [Mr. S. Williamson assented.] Then he would address himself to the argument of the difficulty of ascertaining the value. The hon. Member suggested a mode of fraud or evasion of duty by shipping wine in a green state, when it would be worth 30*s.*, and then waiting until it had matured to its full quality, and that commended itself to his hon. Friend also (Sir Robert Fowler) who was somewhat hostile to the Bill. A very important question here arose connected with Champagne, whether the wine would develope as well in its green state in cellars in England as in the Champagne country? He had inquired carefully into the matter, and could re-assure the hon. Gentleman. If green Champagne—unripe Champagne—were immediately shipped in the state described, the result would be that the wine would be spoiled. Champagne had to be treated with the greatest delicacy in its earlier stages. It had to be kept at a particular temperature in vaults specially constructed for the purpose by the great Champagne houses. The wine would spoil in the bonded warehouses of this country. There was the strongest evidence that the wine must be so kept for two or three years in France. The wines of 1884-5 were being now imported; but the vintage of 1887 could not be shipped now for the purpose of escaping the difference between the 5*s.* and 2*s.* duty. The higher temperature to which the new wine would be subjected in transit to this country would lead to much loss through the bursting of bottles; a loss to the merchant much more serious than the amount of the duty he could expect to evade. This had been considered. Champagne required special treatment beyond that of any other wine to develop its full quality. The great houses who shipped Champagne were not going to degrade the commodity in which they dealt by attempting to introduce it below its value. They had built up the reputation of their wines at an enormous expense of capital and trouble over a long series of years, and he was not prepared to admit for a moment that it would be to their interest, even if they were all rogues and wished to evade the tax, to attempt devices that would probably spoil their wines, degrade their reputation in the market, and cause them infinitely more loss than the gain they could hope to secure in the attempts.

Sir ROBERT FOWLER (London) said, he was sorry to hear the remarks of the right hon. Gentleman the Chancellor of the Exchequer, and he might say that in his constituency (London) the original proposition was received with great satisfaction, and great regret was expressed when the right hon. Gentleman deviated from his original purpose, and made the alteration the Committee were now discussing. There was a general feeling—it had been pointed out to himself, and no doubt similar representations had been made to the right hon. Gentleman—that it would be very difficult to meet the question of duty on wines above and below 30*s.*, and that it would lead to a good deal of fraud on the Customs. He certainly concurred in the view of the hon. Member for Kilmarnock (Mr. S. Williamson) that a uniform duty on all sparkling wines would be a much better plan than an *ad valorem* duty, such as was proposed in the Bill. He very much regretted that the alteration had been made. He knew there was a good deal of cavil at the original proposition, and that this Bill was brought in in pursuance of a pledge given to right hon. Gentlemen

opposite; but it was much to be regretted that the Chancellor of the Exchequer had run from his guns.

MR. BARING (London) said, he was sorry to say he did not entirely agree with anybody who had spoken in the discussion. He did not agree with the hon. Gentleman opposite (Mr. S. Williamson), for he was not opposed to an *ad valorem* duty; but as he did not agree with the Chancellor of the Exchequer, and the Amendment of the right hon. Gentleman below the Gangway was out of Order, he was bound to vote for that before the Committee. He did not see why this particular change should be made in favour of what he considered the most unwholesome drink anybody could put down their throats; therefore, if the hon. Member for Kilmarnock went to a Division, he should vote with him.

MR. CAVENDISH BENTINCK said, a misconception had taken possession of the mind of his right hon. Friend (Mr. Goschen), if he supposed the wine trade were at all opposed to the consumption of cheap wines. What they said was that there ought not to be the vast difference sought to be established between the two qualities, and why should this differential duty be established against sparkling wines? He believed the trade got a larger profit out of cheap wines than from dear wines; but they felt that the present proposal created a large difference of treatment absolutely without precedent. For instance, the Chancellor of the Exchequer said Saumur and other cheap wines should have an advantage; but why not apply the same principle to Sherry and Maderia? Maderia, it might be said, cost 5*s.* or 6*s.* a-bottle; but then the consumer, who could not afford Maderia, bought Marsala, and an excellent cheap wine it was, costing 2*s.* or 2*s.* 6*d.* Why, again, when the ordinary duty on wines was the same, should particular wines be surtaxed on a different principle? That was an argument that had considerable weight with him, and which induced him to support the Amendment. The hon. Member who proposed the Amendment referred to frauds that might possibly be carried out, and surely he had reason on his side. He would put a case to the Chancellor of the Exchequer which, perhaps, his financial genius could explain. Suppose a Champagne worth 32*s.* a-dozen. If that Champagne were imported and declared to be of that value, it would be subject to a surtax of 5*s.*, raising the price to 37*s.* But if the dealer dropped 2*s.* from the original price, and declared it of the value of 30*s.*, he would only have to pay 2*s.* duty, so, therefore, according to the great authority of Cocker, the importer would make 1*s.* a-dozen on the transaction, for, while he would lose 2*s.* on the wine, he would save 3*s.* on the duty. That was one case out of many that might be proposed; but, without detaining the Committee further, he did not hesitate to tell the Chancellor of the Exchequer that the leaders in the trade who were interested in the trade being fairly conducted were in favour of a uniform duty, and the proposal of the hon. Member seemed to be a fair one, though the particular sum to be fixed might be a matter for subsequent consideration. But it was perfectly clear that the gross inequality of the system would never be got rid of, and there would be no check to fraud until an analogous proposal was adopted.

MR. S. WILLIAMSON said, in using the words "green wine," he did not mean wine of last year's growth, which he knew would be in an unfit state to ship, but wine of two or three years old which it would be impossible for the Custom House officers to value. It could not be denied that the door was opened to fraud. The honest trader would invoice his wine two or three years old, and which would be valuable two or three years later, fairly at 32*s.* or 33*s.* a-dozen; but his trade might be ruined by the less scrupulous man who declared the value at 29*s.*, securing a difference of 10 per cent.

MR. WILLIAM LOWTHER (Westmoreland, Appleby) rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined to put that Question.

MR. GOSCHEN said, there was no such fear of injury to the honest trader. Hon. Members surely were aware that the general price of Champagne was, unfortunately, such that the difference to the consumer of 3*s.* a-dozen, on this expensive wine would not be such as greatly to affect the merchant one way or the other. The great bulk of Champagne came to England, even after two or three years, at a much higher price than 30*s.* All the great houses who

imported wines of well known brands, "Moet and Chandon," "Cliquot," and other great firms, shipped wines worth for the most part much more than 30*s*. Here and there there might be a small proportion of wines the price of which might fluctuate about the dividing limit; but he did not believe the honest trader would suffer the loss suggested. The wines coming in of about the value of 30*s*. bore a very small proportion indeed to the whole. That was the answer to his right hon. Friend the Member for Whitehaven.

DR. TANNER (Cork Co., Mid) asked, was he to understand that the main object and intention of the Chancellor of the Exchequer was to tax the true and good Champagne highly, and at the same time admit, on more favourable terms, the deleterious, he might almost say poisonous, compounds such as Chante, Barolo, or the villanous spirituous *Asti Spumante*—he really could not stigmatize it strongly enough? If the Bill passed, it should contain provisions for securing that some so-called wines should bear labels conveying similar warnings of their poisonous nature as was attached to some bottles sent out by the apothecary.

MR. GOSCHEN said, he had no particular acquaintance with the decoctions mentioned by the hon. Member; but he could tell him that there were many of the wines of the Saumur class which were not deleterious, which were agreeable, and which were largely consumed by a portion of the community in this country who could not afford more expensive wines. These wines were perfectly wholesome, though they might not commend themselves to the more educated palates accustomed to wines of a higher class.

DR. TANNER imagined that the right hon. Gentleman's acquaintance with them had not been of a personal nature.

Question put.

The Committee *divided*:—Ayes 57; Noes 110: Majority 53.—(Div. List, No. 156.)

MR. S. WILLIAMSON said, that, seeing what the opinion of the Committee was, he would not proceed with the next Amendment.

Clause *agreed to*.

Clause 3 (Reduction of duty).

Mr. Goschen

DR. TANNER (Cork Co., Mid) said, the hour was late, many Members had had a long day's duty, and it was evident from the Notice Paper that the remaining clauses would meet with considerable opposition. The new Rules, he always understood, were devised in a humane spirit, to enable Members to go home in reasonable time, and he would suggest to the Chancellor of the Exchequer that he should avail himself of another opportunity to proceed further.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Dr. Tanner.*)

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he hoped the hon. Member would not press the Motion. He was as anxious as anyone not to prolong the Sitting; but he was afraid hon. Members had been a little spoiled by easy hours under the new Rules, and the hour was early compared with the experience of former Sessions. He might urge that which might have some influence with the hon. Member, at all events it had with himself, that it was important to the trade that this matter should be settled. The duty could not be altered until the Bill passed; and though the longer it was delayed the longer the Revenue received the higher duty, it was only fair to the trade to terminate a state of uncertainty, and come to a decision as soon as possible.

SIR ROBERT FOWLER (London) said, he only wished to say that a leading member of the trade had, in conversation that day, strongly urged the postponement of the Bill.

MR. CONYBEARE (Cornwall, Camborne) said, he could not agree with the suggestion of the Chancellor of the Exchequer, and would remind the right hon. Gentleman that some Members had been in attendance on Committees or in the House since half-past 11, and had also paid close attention to the discussion of the Local Government (England and Wales) Bill. He also reminded the right hon. Gentleman that when the question was raised on a previous occasion, the House was asked particularly to postpone discussion to the clauses. [MR. GOSCHEN: To the second reading.] He did not know what discussion there might have been then; but it was only

in Committee that questions of detail could be adequately dealt with. He was strongly opposed to the exemption of Money Bills from the Rule closing Business at a certain hour; they were just the Bills that ought not to be urged forward for an unlimited time.

DR. TANNER said, he thought some consideration should be shown to Members, who by making a House, had enabled any progress to be made with the Bill. It would be wise, and, indeed, only reasonable, to yield to the wish that had been expressed from both sides, instead of sitting late to further a Bill which, it seemed, would not benefit the Revenue, and certainly would not benefit those who swallowed the Chancellor of the Exchequer's bad champagne.

Question put.

The Committee *divided:*—Ayes 46; Noes 107: Majority 61.—(Div. List, No. 157).

MR. S. WILLIAMSON said, the object of his Amendment he now moved would be apparent. It was that it might be distinctly understood that the invoice price must include the cost of packing.

Amendment proposed, in line 25, after the word "gallon," to insert the words "in bond, bottled, and in cases or other packages."—(*Mr. Stephen Williamson.*)

Question proposed, "That those words be there inserted."

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, the object of the hon. Member would be met by an Amendment to Clause 8, by inserting in line 30, after "customs," the words "but including freight and all other charges." He had consulted with the legal advisers of the Customs, and they believed that these words would make it quite clear that the price included all those charges.

MR. S. WILLIAMSON said, that would scarcely meet his object. Clause 8 referred to two classes of invoices; first, to wine imported by the consumer, and paid for by him; but the words proposed would exclude the other part of the clause.

MR. JACKSON believed the Amendment would apply to both cases.

MR. S. WILLIAMSON said, he was not sure that the Amendment specifically met the point. It was his intention, however, to vote against the clause.

MR. WADDY (Lincolnshire, Brigg) said, he would appeal to the Government to allow the matter to rest for the present. When the Government called upon the House to give them an extra Morning Sitting, surely it was not desirable to choose the occasion for putting down a Money Bill, by means of which the Sitting could be prolonged for an indefinite time. The least that should be done was to avoid making the Sitting unusually late as well as unusually early. He would rather not make a Motion to report Progress; but unless the Government yielded to the protest he must do so.

MR. GOSCHEN said, looking at the remaining Amendments in the light of decisions arrived at, he did not think they need give rise to long discussion. They were Amendments to omit clauses containing the substance of the Bill which had already been discussed and decided. He admitted the force of the objection urged by the hon. and learned Gentleman, and he was sure his right hon. Friend the Leader of the House would not wish to persevere if there was any general desire for a long discussion. But, at the same time, he reminded the Committee that the alternative was to resume the Bill at a late hour on another night. [*Cries of* "No!" *and* "Why?"] The course of the Local Government Bill could not be interrupted, and the Rules of the House permitted the continuation of this Bill after 12. But the Government had every desire to be conciliatory, and would not press the Committee now beyond the present Amendment if there was a strong desire against doing so. In the interest of the trade, however, it would be well to terminate the period of uncertainty, and to resume the discussion on Monday would be to again prolong the Sitting. The balance of convenience was certainly in favour of going on now.

MR. BARING (London) said, if the Bill were set down as First Order on Monday there would be no difficulty in getting it through, and then other Business could be proceeded with.

MR. WADDY suggested that, inasmuch as the time of the House was practically at the disposal of the Government, there would be no difficulty in taking a little of the time intended for the Local Government (England and Wales) Bill, remembering how materially the Government had lightened the latter

Bill by the determination to omit clauses that would have consumed much time and given much trouble.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he should be exceedingly glad to meet the wish expressed from both sides; but he was under a pledge, repeated only at Question time, to proceed with the Local Government (England and Wales) Bill day by day as the principal Government Business. It would be for the convenience of the House to proceed now; but he did not wish to press that, though he was sure it would save time to do so.

MR. SINCLAIR (Falkirk, &c.) said, he came down to a Committee at half-past 11, and should do so again on Monday, and he urged the Government to persevere and finish the Bill now. It could easily be done, not much debatable matter was left, and it would be preferable to having another late Sitting on Monday.

MR. EDWARD HARRINGTON (Kerry, W.) said, that from 2 o'clock the Government had had practically the whole time of the House at their disposal, with the exception of an interval in which a supporter of the Government ventilated a supposed grievance. ["Oh, oh!"] Hon. Members on the other side had an equal right with his own Party to have or invent grievances. It would be only reasonable now for the Government to conform to the spirit of their own Rule—that Business should cease at 1 o'clock. He had no objection to the Bill, and in the last Division upon it gave his vote in favour of the Government. Let the Government make the Bill first Order on one of their own days, or even take it last, and perhaps the Committee would be more disposed to go on with it.

MR. CONYBEARE said, the effect of the Chancellor of the Exchequer's argument in favour of the trade interest failed when one of his supporters, who seemed to be a spokesman for the trade, informed the Committee that the trade were anxious the Bill should be postponed. Seeing also that, on the other hand, as time ran on, the Chancellor of the Exchequer had the advantage of the higher duty levied, there was no necessity for pressing the Bill with unusual celerity.

MR. FLYNN (Cork, N.) urged the Government to act up to the spirit of the Chancellor of the Exchequer's remarks, and defer to the strong desire for adjournment expressed on both sides.

Amendment, by leave, *withdrawn.*

Motion made, and Question proposed, "That the Clause stand part of the Bill."

MR. WADDY said, when he made his appeal to the Government he stated that, unless that appeal were responded to, he should be impelled to make a Motion to report Progress. To bring the matter to a crisis he would now move it.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Waddy.*)

MR. GOSCHEN said, he would suggest to the hon. and learned Member that he should withdraw that Motion, and allow the Committee to take the clause. Then, if hon. Members insisted, he would not contest the Motion any longer. He had promised representatives of the trade to bring the matter to an issue as soon as possible, and he regretted that the state of uncertainty should continue.

SIR WALTER FOSTER (Derby, Ilkeston) said, the clause would give rise to considerable discussion. The right hon. Gentleman had been reasonable and conciliatory in his remarks when he referred to the alternative of sitting late on Monday. But the inconvenience to Members would be less on Monday, than on Friday at the end of a week's work.

MR. T. W. RUSSELL (Tyrone, S.) said, he was very sorry the Government had given way. They might be assured that they would find themselves in the same position on Monday night. The Committee might make up its mind that it would then be too late to proceed with the Bill any night after 12. A proposition had been made to put the Bill in front of the Local Government (England and Wales) Bill; but he submitted that that Bill had not made such extraordinary progress as to justify that.

DR. TANNER rose in his place and claimed to move, "That the Question be now put."

Question put, and *agreed to.*

Question put accordingly, "That the Chairman do report Progress, and ask leave to sit again," and *negatived.*

Question again proposed, "That the Clause stand part of the Bill."

MR. CAVENDISH BENTINCK said, he was surprised the Chancellor of the Exchequer should say no serious question remained, for he had Notice of a Motion to omit the clause in relation to which questions arose as to which no explanation had been given by either the right hon. Gentleman or the Secretary to the Treasury. The clause provided that where it was proved to the satisfaction of the Customs that the market value of any wine imported in bottle was not more than 5*s.* a-gallon duty should be levied as proposed. He did not wish to go over old ground again; but he would ask the Chancellor of the Exchequer to state to the Committee how it was proposed to establish the value of a wine. There had been no indication of the method how that interesting task was to be executed. He was told by authorities in the trade, that it was impossible to do it, that no agent of the Customs would be equal to the task. The Chancellor of the Exchequer was, then, in an unfortunate position. If the right hon. Gentleman had stuck to his original proposition all would have been plain sailing; but he deliberately walked into the pitfall prepared for him by right hon. Gentlemen opposite, who then left him in his difficulty. Members of the trade declared that it was extremely difficult to distinguish the relative value of wines a little above and a little below 30*s.*, and common sense would incline one to accept that statement. He was told that an experienced expert found it next to impossible to distinguish between two bottles of Champagne valued at 30*s.* and 32*s.* How then would the Customs Authorities prove to their satisfaction that a wine was worth a little less or a little more than 30*s.* a-dozen?

MR. GOSCHEN said, he did not wish to imply that no opposition remained to the Bill. He said there were no Amendments, except to do away with clauses altogether. In reply to his right hon. Friend, it was not proposed to test the wine by a taster trying every bottle. He could understand that no palate, however highly trained, could distinguish between wines at 30*s.* and 32*s.* What he proposed was that documents should be forthcoming, such as invoices and bills of lading, and that a statutory declaration should be made when any wine claimed to come in under the lower rate of duty. He refused to believe that the great majority of the trade in this country were going to enter into a combination for carrying out a system of wholesale fraud upon the Customs. There would be heavy penalties for false description, and there would be the risk of confiscation if false declarations were made. He admitted there might be a difficulty with regard to wine just about the border line of 30*s.*; but there would be no difficulty in the case of at least two-thirds of the Champagne imported, for there would be documentary proof with regard to the price. Careful forms of declaration would be drawn up; but his right hon. Friend need not fear that the Customs were going to embark in the extremely troublesome and difficult task of deciding the value of a wine by tasting.

MR. CAVENDISH BENTINCK asked did he understand his right hon. Friend to say that the value of a wine would be determined by documentary evidence?

MR. GOSCHEN said, great latitude would be given to Custom House officers, and if there was reason to suspect fraud, of course there would be an opportunity of testing the wine. The attempt to pass a wine unfairly at 30*s.* would be attended with much risk of loss, and his right hon. Friend's knowledge of the trade and study of the subject generally would show him that of the great majority of Champagnes, the brands were fairly known, and none of the great and well-known houses would attempt to introduce wines at a low price when their value in the majority of cases was well known.

Question put, and *agreed to*

Committee report Progress; to sit again upon *Monday* next.

SELECTION (STANDING COMMITTEES) (SPECIAL REPORT).

Ordered, That the Committee of Selection have leave to make a Special Report.

SIR JOHN MOWBRAY accordingly *reported* from the Committee of Selection; That they had discharged the

following Member from the Standing Committee on Law, and Courts of Justice, and Legal Procedure; Mr. Dugdale; and had appointed in substitution: Mr. Kynoch.

SIR JOHN MOWBRAY further *reported* from the Committee of Selection; That they had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, the following Fifteen Members in respect of the Employers' Liability for Injuries to Workmen Bill: Mr. Abraham (Glamorganshire), Mr. Ainslie, Mr. Aird, Mr. Barnes, Mr. Broadhurst, Mr. Donald Crawford, Mr. William Crawford, Sir Donald Currie, Mr. Davenport, Mr. George Elliot, Sir William Ewart, Mr. Fenwick, Mr. Gill, Mr. MacInnes, and Mr. Royden.

Report to lie upon the Table.

House adjourned at a quarter before Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, 18th June, 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—North Sea Fisheries * (158); Limited Partnerships * (159); House of Lords (Life Peers) * (161); House of Lords (Discontinuance of Writs) * (162).

Second Reading—National Debt (Supplemental) (155).

Third Reading—Rochester Bishopric (98); Augmentation of Benefices Act Amendment (78), and *passed.*

PROVISIONAL ORDER BILLS—*Second Reading*—Pier and Harbour * (135); Water * (137).

Committee—Elementary Education (Birmingham) * (101-160).

Committee — Report — Local Government (Ireland) (Ballymoney, &c.) * (97); Metropolitan Police * (134).

Third Reading — Public Health (Scotland) (Denny and Dunipace Water) * (136), and *passed.*

HIS IMPERIAL MAJESTY THE LATE GERMAN EMPEROR.

MOTION FOR AN ADDRESS.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY), who rose amid deep silence, the Members of the House uncovering, said: My Lords, I rise to move that an Address be presented to Her Majesty expressive of the sympathy of this House at the great calamity under which She is suffering, and also that an Address be presented to Her Imperial Majesty the Empress of Germany expressing to Her Imperial Majesty our deep condolence. My Lords, we offer the expression of our sympathy and condolence, but there is no cause that we should enter largely into the grounds that move us, or dwell much upon the calamity that is leading us to this action; for the sorrow which is felt for the death of the Emperor of Germany, and the praises of his life, are in every mouth and are written in a thousand columns. My Lords, Her Majesty may well feel the deepest grief at the loss that has overtaken her. Grief at a bereavement, at a loss, is proportionate to the expectations that have been legitimately formed; and never were expectations formed more sanguinely, or with more apparent justification, than the expectations which attended the future career of the Emperor who is borne to his grave to-day. It seems as though there had been accumulated upon his head every possible qualification for a life of glorious, splendid, and peaceful usefulness. Great experience, true aptitude and courage in war, high reputation for culture and for knowledge in the arts of peace, a deep and well-understood sympathy for all the highest and best aspirations of his people, the support of a consort never surpassed in her ability or in her affection and constant enthusiasm for right—all these things seemed to fit him for a career of power and splendid capacity for good, a career that might well have been as prolonged as that of his illustrious father. All these expectations have been dashed by an inscrutable decree. We can only bow to it, and offer our deep sympathy to his Royal relatives for their lamentable loss, and to the Government and people of Germany for the bereavement of a ruler upon whom such high hopes were set. But even with his short reign he has left an example that we may cherish. He has shown under circumstances of singular trial the indomitable spirit by which his race has made the greatness of Germany and its own. He has

shown a steady courage which even the grip of a fell disease could never daunt, and a devotion to his duty in circumstances which would have led meaner natures to the abandonment of all hope. He died at his post with the devotion of a soldier, under circumstances which gave none of the encouragement that lightens the soldier's fall. He has left an example which may be of most precious value, not only to Sovereigns who may follow him, but to all sorts and conditions of men; and it is with a feeling that we are performing no act of mere formality in rendering homage to one of the highest and noblest natures that ever adorned a Throne that I move the Addresses that I have now the honour of laying on the Table.

EARL GRANVILLE: My Lords, I rise to second this Motion, but I can add nothing to the eloquent, pathetic, and unexaggerated remarks which have fallen from the noble Marquess. If it be true, as has been written, that—

"Death loves a shining mark, a signal blow,"

seldom has a more shining mark been presented at which death has struck such a blow. The late Emperor was a skilled and daring soldier. His bravery in the field was equalled by the serene courage with which he endured sufferings under most trying circumstances. Both in his military and in his civilian life a high sense of duty was his constant guide. To say of the departed great that they were without faults seems to be vulgar, unmeaning flattery, which cannot be quite true; and yet, having had opportunities during the last 37 years, in Germany, Prussia, and in this country, of closely observing the late Emperor, I could not, even if I wished, recall any defects which marred his straightforward, noble character. This is not an occasion on which to make any political allusions. In my position I could not make any with authority; but yet it is difficult not to give some expression to the general feeling as to the great loss that has accrued to Germany from a limit of some short 14 weeks having been assigned to the reign of this strong, upright, kind-hearted man—one who from his hereditary qualities, his early education, and his constant self-training had given such unusual, such certain promise of being a beneficent Ruler of the great Empire to the creation of which he had so largely contributed. It is not easy to pay a greater tribute of praise to a Sovereign who has passed away than the intense regret which has been felt, not only in Germany, not only in this country, where there are reasons for it which it would be superfluous to repeat, not only in the United States, where so many of his countrymen reside, but in Italy, where till lately the German was not popular, in Russia, and especially in France, where there has been such a full acknowledgment of the merits of one who had lately been their successful but generous foe. May we not hope that this fact may lead to kindlier international feelings? Will your Lordships bear with me if I add that, while we greatly deplore the loss of this strong guarantee of European peace, it seems to me that there is no solid ground for the conviction expressed in some quarters as to the certain occurrence of a state of things which the late Emperor would have so deeply deplored? The noble Marquess has strongly expressed—it was impossible for him to express too strongly—the deep sympathy with which we approach our Queen on the loss of such a son-in-law, of one so near and dear to her. It is needless for him or for me to say that that feeling extends in the fullest degree to the Empress Victoria, Her Majesty's first-born child. The people of this country have followed with deep interest the career of Her Imperial Majesty. They have rejoiced at the 30 years of unmixed domestic happiness which she has enjoyed. They have been proud of the wide-world reputation which her character, her attainments, and her exceptional intellectual powers have created for her. They have been deeply touched by the courage, the dignity, and the devotion with which Her Imperial Majesty has tended the sick bed and the death bed of the remarkable man who appreciated and loved her so well, and they fervently trust that God will give her strength to bear the overwhelming blow that has befallen her. I beg to second the Motion.

Moved, "That an humble Address be presented to Her Majesty to express the deep sorrow of this House at the great loss which Her Majesty has sustained by the death of His Imperial Majesty Frederick, German Emperor,

King of Prussia, and to condole with Her Majesty on this melancholy occasion:

To assure Her Majesty that this House will ever feel the warmest interest in whatever concerns Her Majesty's domestic relations, and to declare the ardent wishes of this House for the happiness of Her Majesty and of Her family."—(*The Marquess of Salisbury.*)

On Question, *agreed to, nemine dissentiente.*

Ordered, that the said Address be presented to Her Majesty by the Lords with White Staves.

Moved to resolve—

"That this House do condole with Her Imperial Majesty Victoria, German Empress, Queen of Prussia, Princess Royal of Great Britain and Ireland, on the great loss which she has sustained by the death of His Imperial Majesty."—(*The Marquess of Salisbury.*)

On Question, *agreed to, nemine dissentiente.*

Ordered, that a message of condolence be sent to Her Imperial Majesty, and that the Lord Chancellor do communicate the said message to Her Majesty's Ambassador at Berlin, with a request that he will attend the Empress Victoria for the purpose of conveying it to Her Imperial Majesty.

Moved to resolve—

"That this House desire to express their profound sympathy with the Imperial and Royal Family and with the Government and people of Germany."—(*The Marquess of Salisbury.*)

On Question, *agreed to, nemine dissentiente.*

HOUSE OF LORDS (LIFE PEERS) BILL.

BILL PRESENTED. FIRST READING.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I rise to draw your attention to a subject which has already occupied your Lordships during the present Session—namely, the constitution of this House, and I am going to lay upon the Table a Bill with respect to it; but, warned by the fate of my Predecessors, my efforts will be exceedingly modest. I shall indulge in none of those far-reaching schemes whose ambitious character has been their destruction. The first provision to which I will call attention is the question of Life Peers. It is not a new one in this House. It has been considered on more than one occasion, and it is not new to myself, for when I first came to the House, some 20 years ago, I had the honour of supporting Lord Russell in connection with a measure not very dissimilar from that which I shall propose this evening. The fate of that measure was curious. During the discussion there was no great difference of opinion as to the desirability of a moderate and carefully guarded power of creating Life Peers to be placed in the hands of the Ministry. But though the Bill, with expressions of good-will more or less accentuated, passed the second reading and afterwards through Committee, where it was modified, when it came to the third reading it was met by resistance on the part of the Chiefs of the Party then in Opposition. But the ground taken by the Opposition for resisting it at that time was not an objection to the principle of the measure, as may be seen by referring to the speech of Lord Cairns, who was then the Leader of the Opposition. His ground for resisting the Bill was that owing to delays which had occurred, and which appear to have arisen from a cause with which we are not familiar—namely, the enormous amount of Business which there was in the House at the time, the measure had been delayed until the end of the Summer, when there was no hope that it could pass through the House of Commons in the same Session. Lord Cairns took a strong objection at that time, an objection which he repeated three or four years ago, shortly before his death—to bringing forward a measure of this kind unless there was some very fair reason to hope that it could pass into law during the current Session. The only criticism that I really fear in bringing forward this measure is that some people may think that the time of its introduction infringes the rule which Lord Cairns sought to lay down; but I am happy to say that my right hon. Friend the First Lord of the Treasury assures me that he can pass the Bill if it goes down to the House of Commons, and that considerations of mere time will not stand in its way. The great question in connection with all these Bills is the amount and nature of the restriction that should be placed upon the Ministers of the Crown in the exercise of the power of creating Life Peers. But for the necessity of some such restriction I do not think there ever would

have been any doubt or difficulty as to the adoption of the measure. In the earliest history of this House Life Peers were exceedingly common, and they continued to be made from time to time down to what we may call the end of the first stage in the history of the House of Lords, down to the end of the Wars of the Roses. You may take that to be a break, as it were, in the history of the House of Lords, because when they re-assembled after the battle of Bosworth there were found to be only 29 lay Peers in existence. Down to that time a considerable number of Life Peers were made; but there was this peculiarity about several of those creations—they were not made by the sole Prerogative of the Crown, but they were made in Parliament with the consent of Parliament, so that even then it was thought that the exercise of such a Prerogative ought not to proceed unchecked. That is the consideration to which we have to address ourselves to-day, and it has always been in my mind one of the most indispensable conditions of any legislation of this kind that the extent to which it should be exercised should be distinctly limited by Parliament beforehand. Otherwise the existence of the power might be fatal to the independence of your Lordships' House. If there was a power of creating Life Peers to an unlimited extent, the temptation would inevitably be too strong for some ambitious and imperious Minister, and he would attempt by such creations to force the decision of the House, as it was once forced in 1712. I know that the noble Earl opposite who leads the Opposition has said again and again that he does not understand why there is more necessity for restriction in the case of Life Peers than in the case of Hereditary Peers. It is very difficult to convey it to the noble Earl's mind if it does not occur to him instinctively, but I am quite sure that most of your Lordships will recognize that anybody would feel much more responsible in advising an unlimited creation of Hereditary Peers than in advising an unlimited creation of Life Peers. Not only would he feel much more responsibility, but he would have much more difficulty in inducing the Sovereign to accept his advice, and he would have much more difficulty in obtaining the support and approval of public opinion in such a course. As your Lordships know, the creation of Hereditary Peers for the purpose of influencing the decision of the House of Lords has only been resorted to once. It was at the very commencement of our Parliamentary history, and it was done for the purpose of passing the Resolutions which were necessary in connection with the Treaty of Utrecht. Only 12 Peers were created, and yet, for creating those 12 Peers, among other things, Lord Oxford was impeached by the House of Commons as having done a thing which was derogatory to the honour of Parliament and fatal to the public interests. That was one of the chapters of the impeachment afterwards drawn against Lord Oxford. It was never done again, although it was threatened once on a memorable occasion. Lord Brougham has expressed his great doubt whether, if matters had come to an issue, that course would ultimately have been taken; and if my memory serves me right, the Duke of Richmond has stated that he had it from his father, who was in the Cabinet at the time, that he would never have consented to go to that extreme. It is, therefore, a measure from which Ministers have obviously flinched, and I am dwelling on the point for the purpose of reminding your Lordships that they have flinched from it, and that the threat of it has been very rare. I think I have seen it stated in a book of which, on account of its authority, I should always speak with great respect —I mean Professor Dicey's Constitutional Law—that it is settled Constitutional Law that when the House of Lords resists the House of Commons the vote of the former should be decided by the creation of Peerages; but I think that Constitutional Law requires general acceptance and the acceptance of both sides in politics: and I can safely say that no such doctrine has ever been accepted by the Conservative Party. I am dwelling upon this for the purpose of pointing out that Lord Brougham, who may be said to have been a good judge, stated that if it had been a question of the creation, not of Hereditary Peers, but of Life Peers, very much less difficulty would have existed, and much less apprehension would have been felt, and Ministers would have resolved upon the step with very much greater ease. I, therefore, think it ab-

solutely necessary that we should establish narrow limits within which this power should be exercised, for whatever the destiny of this House may be, whatever you may desire that it should do or not do, whatever powers it should wield, or character it should bear, I am sure that no man of common sense would ever wish that it should become the supple instrument of a Minister of the Crown. But I go further. I say nothing at present as to the number to which the creation of Life Peers should be restricted, but I think the creation ought to be restricted in point of nature and kind. Fears have been expressed that if unrestricted power of creating Life Peers were given to a Minister it might be used simply for the purpose of getting rid of applicants who could be got rid of in no other way, or for the purpose of disposing of Members of the other House whose presence was inconvenient. Now, I have the greatest possible respect for that Corporation generally represented by Lord Kintore. I have great respect for the valuable services they render to the country, but I am anxious to eliminate to the utmost possible degree their influence in the creation of any Life Peers for the future. If Life Peerages are to be a useful institution, they ought to have as little to do with the Whips as can be. I will state what the proposals are that we have to make. We propose that it shall be lawful for Her Majesty from time to time by Letters Patent to appoint a Peer during his life "any person qualified as shown hereinafter," and then come certain categories which I will read. Of these not more than three persons shall be appointed in any one calendar year. Either he must have been for not less than two years a Judge of the Superior Court in some part of the United Kingdom, or have served in Her Majesty's Naval Forces and have obtained the rank of Rear Admiral or higher rank, or he must have served in Her Majesty's Land Forces, and have attained to the rank of Major General or higher rank, or have been an Ambassador Extraordinary. These categories deal with the legal, military, naval, and diplomatic professions. With respect to the Civil Service there is a difference. There is no rank or mark like that of Ambassador, or Major General, or Rear Admiral which you can select as showing their merit or their experience. But it appeared to us that the requisite security might be obtained by relying upon a Body whose constitution has received an expression of admiration from the noble Earl—I mean the Privy Council. I do not think Ministers are generally disposed to appoint unfit persons to the Privy Council, and I think we may say that if a man has been in the Civil Service of the Crown either in this Country or in the Colonies, and has afterwards been made a Privy Councillor, that he is a fit person for a Life Peerage; and, besides that, we propose that any person who may have been five years a Governor General or a Governor in any part of Her Majesty's Dominions out of the United Kingdom or a Lieutenant Governor in India shall be eligible. We further propose that Her Majesty shall have the power to appoint to be a Peer of Parliament any person on account of any special qualification other than one of those mentioned, provided that not more than two persons shall be so appointed during any one calendar year; and that a person shall not be appointed under this section until Her Majesty the Queen has, by a message to the House of Lords, stated Her Majesty's intention to appoint such person and the special qualification on account of which he is proposed to be appointed. That restriction has been introduced for the purpose of avoiding the danger which I distantly glanced at. That will make a power of creating five in all. We then add—

"The number of Peers at any one time entitled in pursuance of this Act to vote shall not exceed 50, and it shall not be lawful to make any appointment in pursuance of this Act which will make such number for the time being exceed 50."

Of course, these numbers may be regarded as excessive; but I wish to point out that they are a maximum. I am not entering into any kind of engagement on the part of the present Government, still less on behalf of the Sovereign, that five Life Peers will be created every year. I have the greatest doubt whether the possibility of finding five proper persons for Life Peers every year will present itself with the facility that some people think. My noble Friend behind me (the Earl of Pembroke) said, in a recent debate, that he wanted us to create at once 200 Life

Peers; but the prospect filled one with alarm, and I do not think that the most inventive imagination will discover 200 fit candidates for an immediate Life Peerage. I consider five Life Peers a-year to be a maximum, and I do not believe that number will be filled up every year. Of course, it is a matter of speculation in what way they will be received. Some persons have suggested that they would feel themselves in a position of inferiority, which would hinder their usefulness in this House. I think we are dispensed from any apprehension of that kind by the position Life Peers have already obtained in this House. Their position is not only not one of inferiority, but in many cases it is so distinctly superior that I think we may set aside the fear that if the men are men of merit there is the slightest danger of anything of that kind. A totally opposite fear crossed my mind. Ultimately it may come to be thought that as Life Peers are created for merit that is recorded, and Hereditary Peers for merit that is not recorded, an Hereditary Peerage is a less desirable dignity of the two. But whatever may be the case, I am quite sure that when the Life Peers are properly selected they will not only find a hearty welcome, but a very attentive audience. I know that several noble Lords behind me will say in their hearts—"What necessity is there for any Life Peers at all?" I have never put forward Life Peerages as a great panacea; but I think they will be of use, and there are several reasons why. One which has been constantly suggested in previous debates was supported by a striking instance by the noble Earl who leads the other side. It is that it often happens that a man who would be very useful in this House and would contribute very much to its debates is unable to accept a Peerage because of the burden that a title would impose upon his descendants. Another reason why we should desire the presence of Life Peers is furnished by consideration for the work of the House itself. Some of your Lordships may ask—"Is not the work sufficiently well done at present?" I reply that that is a question that must admit of a double answer. In some respects, and on some subjects, the work of the House is admirably done. Nothing could be better attended to than legal matters in this House. Nothing could be better as regards knowledge of the subject than the treatment of land questions in this House. Nothing can be better attended to than Church questions are in this House; but when we get outside these three categories I do not think that we are sufficiently well manned. We have some distinguished soldiers and sailors, and some soldiers, as we know, are not allowed to speak so often as we could wish. Still, on these subjects, I doubt whether the representation is sufficient to make our debates adequate, or the examination of measures which come under our consideration sufficient. But outside of these things, when you come to questions of finance, mercantile matters, engineering matters, and a number of other departments of thought and activity, they are hardly represented in this House at all. If the House should pass this measure, it will make the House more efficient for its debates in these respects. And there is another advantage which I think will commend itself to the noble Earl the late Secretary of State for Foreign Affairs, who first introduced this question in the present year. He indicated, in no obscure terms, that he thought the creation of Hereditary Peers had been too extensive in recent years, and he was rather inclined to suggest that it was the fault of those atrocious persons the Conservatives; but I think, if he will look back on the years that have passed since we last discussed this subject in 1867, he will find—it is my impression, at all events—that the large creation of Hereditary Peers has not originated with the Conservatives. But detaching ourselves from all questions of individual responsibility, and merely asking ourselves what is better for the House and the country, I entirely agree with the noble Earl that the rate has been rather high. One of the hopes I have of this measure is that it will diminish the creation of Hereditary Peers, and in that case it will give more freedom and more elasticity to the Crown in the distribution of honours, as well as more fitness to the House for discharging its important duties. There is another subject which I have to call attention to. It is one that does not admit of much discussion. The noble Earl kindly spared us the difficulty of lengthy definition by introducing a phrase

which has been generally adopted, so that this has come to be known as the question of the black sheep. I doubt whether the evil is so great as it has been represented to be. I have not had the pleasure of meeting the black sheep supposed to be in every corner of the House; but, assuming that they are there, a step towards the removal of them will be taken by the passing of this Bill, for it will give the House a power which it does not now possess—that of expelling a Member. It can only have that power on the same conditions on which the House of Commons has it—that is to say, it must always remain with the constituent authority to restore a peccant Member of the House if it should seem good to it to do so. In our case, the constituent authority is the Crown, and, therefore, it must always remain in the power of the Crown to issue again a Writ of Summons, if it should be advised to do so, to the noble Lord who has been the subject of this operation. The Bill proposes that it shall be in the power of the Queen, on an Address presented by the House of Lords, praying that the Writ of Summons to every Peer named therein shall be cancelled, by Royal Sign Manual to direct that the said Writ shall be cancelled. Such cancelling will be good during the currency of that Writ—that is, during the existing Parliament—and unless Her Majesty shall issue a special Order to the contrary, that Writ shall remain permanently cancelled. Of course, both for the purpose of repairing errors and of dealing with offences which do not seem to call for so much severity, power must be reserved to the Queen, under Constitutional advice, to re-issue at a later period of the Session the Writ of Summons which has been cancelled. That is merely giving to this House a power which the other House possesses. If it should be the pleasure of Parliament to give that power to this House, it will then be our duty, in the framing of our Standing Orders, to determine how that power shall be exercised, under what conditions, subject to what checks, and under such restrictions as shall prevent the possibility of injustice. I have to apologize, perhaps, that there is nothing more startling in my measures. They are simply designed for the purpose of strengthening the House of Lords, and of giving it a power of removing that which is objectionable, and of adding to itself that which is powerful and strong, and of doing its duty better before the country. They are not designed for the purpose of introducing any new principle into the Constitution, or of heralding any revolutionary changes in a Body which has lasted so long and which has done so much service to the State.

Bill to provide for the appointment of Peers of Parliament for life—*Presented* (The Marquess of SALISBURY).

THE EARL OF ROSEBERY: My Lords, I do not know that it is necessary, or, indeed, respectful, to the economical measure which has been presented to us by the noble Marquess opposite, that we should inaugurate any debate upon it without further consideration. It is a modest measure, and it has been introduced by the noble Marquess in a singularly modest speech. He told us that the plans which were proposed to your Lordships by the noble Earl opposite and myself were killed by their own ambition. That is not my view of the subject at all. I do not know what my noble Friend's view may be; but my belief is that they were killed by the direct intervention of the noble Marquess. I share entirely the views and the extreme vigour with which the noble Marquess put before us the regret which he would feel if he ever thought this House should become the subtle instrument of a Minister of the Crown; but I am bound to say that, viewing the relations of Parties in this House, it cannot but be felt that this House—I do not doubt by sincere conviction—is infinitely too much on the side of the Minister of the Crown, and even of the noble Marquess himself. I do not say whether that is a good thing or a bad thing. That is not the point I am discussing at this moment. But what I have pointed out before to your Lordships is this—that the real danger to the House of Lords does not consist in the absence of five Life Peers appointed annually, or in the presence, the supposed presence, of what are called black sheep, who do not so often attend the House, but whose character, to some extent, invalidates the decisions of the House of Lords—the real danger, to my mind, has alway consisted in this—

that under certain conditions, which it is not very difficult to imagine, there might be an utter want of sympathy between the House of Lords and the House of Commons, and the vast majority of the House of Commons might be entirely opposed to the vast majority of the House of Lords. Now, my Lords, recent events appear to show that that danger is not so remote as might be supposed; but, in any case, whether it be remote or not, the provisions of a wise Minister, I should have thought, would have been to guard against that, and not to attempt to deal with the House of Lords at all, unless he has some large, far-seeing, and exhaustive measure in view which would meet this very grave difficulty. Now, my Lords, as regards this particular measure which the noble Marquess has proposed this evening, while I do not think it respectful to deal with it on the present occasion; at the same time I do not see any great difficulty in doing so. It is not of that character as to offer insuperable obstacles to its discussion. But when you come to think that after the various Motions which have met with more or less favour at your Lordships' hands, after the very wide discussion in the Press and on the platforms, and after that most significant sign of all, the revolt of the eldest sons, when you come to think that the noble Marquess has nothing to propose but that a Rear Admiral shall be made a Life Peer, or that a Major General shall be made a Life Peer, or that a Privy Councillor shall be made a Life Peer, or that an Ambassador shall be made a Life Peer, one begins to feel that the subject is almost hopeless, and that it is hardly worth while proceeding with a reform of that character. I confess if I took into view simply the Bill proposed by the noble Marquess—speaking as an individual, for I have no notion whatever of the feelings of my noble Friends behind me—I should not care to see the Bill carried into effect. But with regard to another point, I confess that I should be inclined to give it my humble vote. My view is this—supporting it as well as I can—that when you once open the sluice-gate of reform into this House you will not be able to stop at this limited measure. I myself am not a very great believer in the remedy as the noble Marquess proposes it; I think, as I have already indicated, that it may even tend to degrade the quality of the Hereditary Peers hereafter to be created; because I think that, when a man has been hereafter created a Hereditary Peer, the tendency of the cynical observer of the House of Lords—and I must say I rather put the noble Marquess himself in that category—would be to say that that Nobleman has been created a Peer because he did not come within the various categories of fitness for Life Peerages. And my fear is this, which I believe the noble Marquess also shares—that the Hereditary Peer may hereafter come to occupy a very subordinate position in relation to the distinguished men whom the noble Marquess proposes to introduce. I do not know whether 50 or 100, or even 200, distinguished men would come in under the clauses of this Bill; but, at the same time, I think that its operation will be, as I have already said, rather to degrade the hereditary character of this House than to improve it. Now, my Lords, there is another process. The first proposal in the Bill is to make an addition; but it also contemplates a process of subtraction. With regard to the process of addition, I think it will not be very operative; but as to the process of subtraction, I venture to affirm that it will be absolutely inoperative. Is it quite clear, to begin with, that this House has not the power of expelling any of its Members by Resolution? I do not care to discuss that point; but if it has not the power, is it the least likely that for petty offences which in many cases unfit a Peer, in the opinion of the public, for the exercise of his legislative functions, that you will be able to get a House together and get an authority to move a solemn Address to the Crown for the removal of a Peer? My Lords, I do not believe it for a moment. I believe your process of expurgation will be a dead letter. No one will dare to take upon himself the invidious functions of censor without authority or inducement. I am firmly convinced of this—that the only possible method by which you can exclude undeserving Peers from the House of Lords is the method proposed by the noble Earl opposite (the Earl of Dunraven) as well as by myself—a process

of delegation. My Lords, under these circumstances, I do not think I have anything further to add to the remarks I have ventured to make on this Bill. I shall give it my humble support, not because of the intrinsic virtues of the measure, but because I believe it to be a certain precedent for larger, and more extensive, and more operative proposals.

THE DUKE OF ARGYLL said, that he had deliberately abstained from taking part in the discussion of this subject during the past two years, because he had had great doubts as to the practical character of the measures brought forward, and he had desired to defer any observations he might have to make on so important a matter until some definite proposal had been submitted to their Lordships. He was one of the last survivors of those who more than 30 years ago proposed to revive Life Peerages. His noble Friend who led the official Opposition in that House the other day was reported to have said that if the measure which they then proposed had been allowed to take effect the agitation for an alteration in the constitution of the House would probably have been delayed some time. Speaking for himself, he was not now of opinion that that would have been the result. Whatever movement there might have been for an alteration in the constitution of that House, it was much more deeply seated than would have been satisfied by such a change as was then proposed. He did not know whether his noble Friend would contradict him, but he submitted that the Government of Lord Palmerston 30 years ago had more in view the strengthening of the judicial element of that House than anything else. Looking back to that time, he felt bound to say that he thought the Government of Lord Palmerston rushed into that measure hastily and without due consideration. He did not think that there was one Member of that Government who believed that there was any doubt as to the legal and Constitutional power they had to create Life Peerages. Lord Campbell laid it down that they had the power. It was a curious fact, and it formed a piece of political gossip at the time, that if Lord Wensleydale had been well enough to take his seat on the first night of the Session no question would have been raised by the Law Peers. But as he was ill, he was compelled to delay taking his seat for three weeks or a month, and during that time the Law Peers got up the opposition. They did not fully consider—at least, speaking for himself, he did not fully consider—the influence which that measure would have on the independence of that House. His noble Friend (the Earl of Rosebery) had expressed doubt whether there would not be in the hands of the Ministry a much greater responsibility in that House if the creation of Life Peers were extended. For his own part, he could not help agreeing that the difficulty was very considerable. No doubt, there were other means at the disposal of a Minister; but, on the whole, he could not doubt that it would be more easy for an unscrupulous Minister to swamp that House if he had the unlimited power of creating Life Peers. If they were to continue to have two Houses of Parliament, he thought it should be agreed by all men that they ought to be independent of each other; that both Houses should have in their own sphere the character of independence of the Minister of the Crown, otherwise they could not perform their duty to the people. He agreed with the noble Marquess that there ought to be some limit on the creation of Life Peers; but this was not the proper time for discussing what should be the precise limit. He did not, however, understand the speech of the noble Earl who had spoken last, because the noble Earl said he would vote for that measure, but that he thought it would degrade that House. He could not quite understand those two propositions. The noble Earl said the Bill would open the door through which other measures would come in afterwards for further reforms of that House. He hoped that the noble Earl did not mean that those other measures were also to have the character of tending to degrade that House, and that he would also vote for them.

THE EARL OF ROSEBERY said, he did not want his words to be misapprehended. He had said that he thought the proposed introduction of Life Peers might rather have a tendency to degrade the Hereditary Members, and that in that respect he shared the surmises of the noble Marquess himself. His other

argument was that that measure would open the sluice gate to other measures of reform.

THE DUKE OF ARGYLL: The noble Earl said that the measure would tend to degrade the Hereditary Peers, but nevertheless he would vote for it. For himself, he did not believe that the creation of Life Peers would have any such effect. They would be regarded as other Members of the House were; they would be respected for their individual character and ability, and many of them were men of great ability and took an active part in the Business of the House. They had heard some able speeches from the noble Earl about the reform of the House of Lords—a subject which he must say he had treated with great ability, but at the same time with an ability which was consistent with the avoidance of committing himself to any definite scheme. The noble Earl told them that there was a danger of that House coming into collision with the other House of Parliament. Of course there was. That was a necessary danger attending any Constitution under which they had two Houses of Parliament. But he asked what his noble Friend was driving at in his speeches in that House and out of the House? He must say that he thought persons in the position of his noble Friend who had been Ministers of the Crown, and who hoped again to be Ministers of the Crown, should not throw the great institutions of this country at the heads of the people without any indication of the direction in which they themselves would wish their reforms to go. It was pretty plain what his noble Friend meant. He meant that there should continue to be a Second Chamber, as it was commonly called, but one that should always agree with the House of Commons and which should say "Ditto" to the House of Commons—a House of Lords whose voice was never to be heard except in the symphony of "Amen." If that was so, let him say it openly—let him tell them and tell the people that he wished to have a second House of Parliament that would never take an independent view of anything, and, therefore, would never be in danger of a possible collision with the House of Commons. They would then understand him. That reminded him of an incident which he witnessed a few years ago. Some American steamers, as their Lordships might know, were like Noah's Ark, and covered like a house with a roof, and no passenger was allowed to go on to the top of that roof without the special leave of the captain. It happened to himself to be on board one of those steamers, and the captain invited him to go up and see the views from the top of the ship. An American lady was there also at the time. An essential part of the machinery of such a steamer which wished to avoid danger was a steam whistle; and on the occasion to which he referred the whistle being set going the lady put up both her hands to her ears to shut out the dreadful noise. The captain afterwards said to her—"I am very sorry, madam, to have inconvenienced you, but you will be glad to hear that our great inventor, Mr. Edison, is about to take out a new patent for a steam whistle that is to make no noise at all." "That would be delightful," she thought. Well, his noble Friend was a sort of political Mr. Edison, who would undertake to produce a House of Lords, which would never dissent from the House of Commons, would never cry "No," and would always say "Ditto" to that House. He could understand the doctrine that they should not have a House of Lords which would be in perpetual conflict and collision with the House of Commons. A greater calamity to the country could not well be conceived. He desired an Upper Chamber such as they had ever had for 600, 700, or 800 years, which should be gifted with insight into the great political instincts of the English people, which should be able to detect the movements of political opinion that were really such, and to distinguish those movements and the conclusions to which they pointed from the movements of impulsive passion which might at some unhappy moment threaten disaster to the State. That must involve the danger of occasional difference with the other House of Parliament. That was the use of the House of Lords—that was the use of the Second Chamber; and without that danger there could be no such use. His noble Friend, in a speech made in the North of Scotland the other day, said that the reform of the House of Lords was not pre-eminently, but only partially a Party question, and he agreed in that. But his noble Friend

went on to say that the House of Lords was eminently obstructive of Liberal measures. He wanted to know what his noble Friend meant by "Liberal measures?" He supposed that he meant measures which emanated from the Party to which he belonged; and that the House of Lords ought never to dissent from measures proposed by the Party which he honoured with his Membership and adherence. Well, that was a very large order. But how far, he would ask, was it true that that House, in any large sense of the word, had been obstructive of the great changes which during the last half-century had been in the interests of the people? He himself had had the honour of being either a Member of that House or a close attendant on its debates as a boy on the steps of the Throne for very close on half-a-century—for 47 years; and he looked back to see what were the great movements of legislation in the interests of the people to which that House had been an obstruction. Besides many others of considerable importance, he found five or six changes which were considered almost revolutionary in their character. First of all, he found a series of measures, not promoted solely by the Liberal Party, but heralded and defended and promoted and patronized by one man who was throughout life more or less a Conservative—the late Lord Shaftesbury. Had the late Lord Shaftesbury any serious difficulty in carrying those measures through the House of Lords? No; the opposition offered to them in the House of Commons was much more serious than that offered in the House of Lords; and when they came to the House of Lords, although they were not received with enthusiasm—for that was not the special quality of their Lordships' House—they were passed with much less difficulty. He had no hesitation in saying that the Factory Acts were at that time considered to be measures of almost a revolutionary kind. They introduced an entirely new principle in our legislation—a principle full of doubt and difficulty even in the opinion of our most philanthropic and public men. Among the many measures which, during the last 50 years, had tended to prove the wisdom of Parliament and the political instincts of the British people, and which had tended to the happiness of the working classes, none, in his opinion, stood before the Factory Acts. He came now to the next question, the abolition of Protection. Protection of native industries was dear to the hearts and convictions of the leading men on both sides of the House, and in both Houses of Parliament. He remembered very well when Lord Melbourne sat in the place now occupied by the noble Marquess, and seeing by his side old Lord Holland, whose form and features recalled to their Lordships the well-known form and features of the illustrious man who was a near relative of his and one of the greatest of our English statesmen. At that time there was but one Member of their Lordships' House who was in favour of the repeal of the Corn Laws. That was the late Lord Fitzwilliam. In a few short years the abolition of Protection was attained. The question was dealt with by the House of Commons under great difficulty, and under the pressure of circumstances connected with the potato famine in Ireland it was found impossible to resist the action of Sir Robert Peel. The question then came up to their Lordships' House against the individual convictions of the vast majority. There was no doubt about that; but their Lordships legislated on the question, and they submitted to the changes which they saw inevitable. The third question was the destruction of the Established Church in Ireland. If ever there was a measure which was odious to the feelings, the sentiments, and the convictions of a large part of their Lordships' House, it was the destruction of that Church. But their Lordships saw then, as the House of Commons had seen, that the time had come for the removal of that strange political anomaly. Instead of obstructing the measure, their Lordships' House made some alterations in it of a comparatively minor kind with regard to the interests of the clergy, and then allowed it to pass. He said, therefore, that in none of these cases was the assertion of the noble Earl true that the House of Lords had been an obstructive of Liberal measures. He came now to the question of the franchise. A large number of their Lordships were at that time in favour of the franchise, but he believed that if the Division had been taken as a mere ques-

tion of philosophy, without reference to political circumstances, that extension would not have taken place. But that franchise measure was carried. He came now to the question of the redistribution of seats. Here they came to the last case on which there had been something like a serious danger of collision between the two Houses of Parliament. At that time he sat on the opposite Benches, but, though not in Office, he voted with Mr. Gladstone's Government against the postponement of the Franchise Bill for the purpose of seeing the Redistribution Bill. He voted against the postponement of that Bill because he had some personal confidence in the sense of responsibility under which his right hon. Friend Mr. Gladstone acted in regard to redistribution. He felt a tolerable confidence that Mr. Gladstone would not produce a Bill which at that time was called a "jerrymandering Bill." He must say, however, that he had no right to expect other men to have that personal respect and confidence which he felt in the right hon. Gentleman; and he was far from saying that the House of Lords was not right in asking that the two Bills should go forward together, or, at least, that the proposals of the one measure should be known before the other was passed. This question nearly led to a serious collision on account of the passionate manner in which Mr. Gladstone discussed it. He accused the House of Lords openly in many speeches of wishing to destroy the Franchise Bill through a demand for the Redistribution Bill. He believed that was an entirely erroneous view. He believed that the great majority of their Lordships were willing to vote for the Franchise Bill, and that its postponement until the Redistribution Bill was forthcoming was a really *bonâ fide* desire on their part to have the full scheme of reform before them. But how did that matter end? Of course, if their Lordships had to deal with passionate men, with Ministers who would not allow the great elements of the Constitution to have free play, with Ministers who were so passionate that they would not allow the Second Chamber to have a say in such matters as this, then there would always be friction. But the whole British Constitution turned on legal and Constitutional points. The danger of collision did not come from their Lordships, who, while acting unfortunately, as he thought, at the moment, acted strictly within their Constitutional rights, and in the exercise of which their vote ought to have been respected. But how did this matter end? That House was firm, and it ended in a compromise. The two Parties met, and a Redistribution Bill was agreed upon. Could his noble Friend say that this was a case in which their Lordships' House obstructed a Liberal measure? It was a case in which the two Houses of Parliament, acting under a due sense of public duty, and acting to some extent on different opinions, procured a compromise which he believed would be happy in its results. His noble Friend spoke as if every measure of the Liberal Party should be received by their Lordships. Did his noble Friend remember the warning lately given to them by his illustrious Chief about the present state of the Liberal Party? His noble Friend had forgotten that. In the General Election of 1885 Mr. Gladstone said he had the honour of being at the head of the Liberal Party; he had long known it intimately; he had long known its virtues —he forgot the terms of the eulogium, but he remembered that it was very fine —and he warned the people of Mid Lothian that the Liberal Party was not to be trusted if it had to depend on the votes of the Irish Members. But what did the right hon. Gentleman do now? His right hon. Friend had fulfilled his own prophecy. The noble Earl forgot that by the confession of his Leader the portion of the Liberal Party which was under the influence and domination of Mr. Parnell was not in a position safely to represent the interests of the country. He was a thoroughly convinced Gladstonian on that point. But if that be the position of the Liberal Party at present by the confession and prophecy of its illustrious Chief, was it reasonable that his noble Friend should insist upon such a reform of the House of Lords that it should always accept whatever that section of the Liberal Party agreed upon? That apparently was the meaning of his noble Friend's language. He had spoken thus that evening because, having a full and anxious desire to see any changes made in their Lordships' House which should be in the direction of development and strengthening it for

the great purposes of the Constitution, he wished to know whether they did or did not recognize what those purposes were. He had read his noble Friend's speeches, and he had been amused and edified by their extremely dexterous character. But he repeated that the noble Earl had given no indication, even last week in the North of Scotland, of the purposes and direction in which he wished their Lordships to go. He had felt it to be a public duty to say so much on this the first opportunity he had had of addressing their Lordships on the subject. He would not now discuss the proposals of the noble Marquess, preferring to wait until they were before the House, when he hoped their Lordships would enter upon their discussion with the full desire to do what they could, even if it should be only, as his noble Friend said, a first step towards enlarging and strengthening the constitution of their Lordships' House.

THE EARL OF DUNRAVEN said, he did not wish to say anything about the Bill at present, because he thought any observations could best be made on the second reading stage. He rose merely to express satisfaction that the Prime Minister had introduced a Bill of this character, though he confessed that his satisfaction was derived rather from a hope of favours to come than from a conviction that the Bill would solve the problem or satisfy the requirements of the case. He did not believe that the House could be reformed in the necessary direction by any creation of Life Peers. With regard to that part of the proposal of the noble Marquess which related to the exclusion from that House of the so-called "black sheep," he admitted that he did not exactly know to whom that expression referred; but, at all events, those who were indicated by it did not sit either upon the Front Bench beneath him or upon the Front Bench opposite, and, in fact, they were very few in number. He fully recognized, however, that the feeling created abroad by the presence of delinquents in that House could not be measured by the number of those delinquents, but must be gauged by the view that was taken of the matter by the country, and by the amount of prejudice which might be raised against the House by the fact of their presence in it. He, therefore, attached great importance to that provision in the Bill which gave powers to the Crown to cancel a Writ. Those powers ought to be exercised on the basis of attendance at the Sittings of the House, Rules being framed by their Lordships enforcing more regular attendance. He regretted that the noble Marquess, in introducing this measure, had given no indication that its provisions might be extended to the great Colonies and the Dependencies of the Crown.

THE MARQUESS OF SALISBURY was understood to say that he had already stated that the provisions of the Bill would extend to any person who had been the Governor General, and to any Civil servant who had served in the Colonies and who had been made a Privy Councillor.

THE EARL OF DUNRAVEN said, he was glad to find that he had been in error upon this point. He did not think that any great advantage would be derived from conferring Life Peerages upon soldiers and sailors, seeing that both the Services were already well represented in that House. He had no desire upon that occasion to discuss the provisions or the merits of the Bill; but he might say that he did not agree with the noble Earl opposite in his estimate of the measure. He believed that the Bill, taken in conjunction with the results which might flow from the Commission which had been moved for the other day by the Lord Privy Seal, would prove a useful one. He did not suppose for a moment that it would meet all the requirements of the case, but he looked upon it with all the more favour because it appeared to carry out the view which the Prime Minister had emphasized so strongly the other day when he told their Lordships that he did not desire on the part of the Government to take up the *non possumus* position with regard to the reform of that House. He trusted that, a proposal for the reform of that House having been initiated by Her Majesty's Government, if this Bill should prove inadequate they would be willing to go a step further, and to supplement it by a fuller measure of reform.

LORD NORTON said, that with reference to a remark which had fallen from the noble Lord opposite, to the effect that this Bill would not prevent collisions occurring between the two Houses of Parliament, he wished to ask him

whether he thought that any measure that could be passed would have the effect of preventing all possibility of collision between those Bodies? He did not suppose that the noble Earl opposite entertained such an idea, any more than that he entertained the idea attributed to him by the noble Duke opposite of of rendering that House a silent partner of the House of Commons, which should exist merely for the purpose of endorsing and registering the decrees of the other House. He desired to call the attention of their Lordships to the wide divergence in point of principle between the Bills which had been respectively introduced by the noble Earl opposite and by the noble Earl who had last spoken and that under discussion of the noble Marquess. The proposals of the noble Earls involved the introduction of a new principle into the essential constitution of this House—namely, that its Members sat by virtue of Crown appointments, whether hereditary or for life; whereas, by the proposal of the noble Marquess, that principle would be retained intact. Nearly all those who had thought upon this subject were agreed that it was necessary that there should be a Second Legislative Chamber in all free Constitutions, and there was high authority in favour of that view, the framers of the Constitution of the United States having come, after the ablest and most exhaustive discussion, to the conclusion that to have only one Chamber would be fatal to freedom and to the continuity and stability of government. They recognized, as their greatest difficulty, the desirability of the Second Chamber being of entirely different constitution. Those who proposed to make the House of Lords partially elective failed to appreciate the great advantage that the two Houses should be differently constituted. It was the dissimilarity of constitution which had given the House of Lords its peculiar usefulness in relation to the Commons. By long and historical *prestige* it had been rendered what it was impossible for new Constitution makers to create. If once we destroyed the special constitution of the House its inimitable service in our Legislature could never be regained. He had heard it said that there was no historical record in existence of the peculiar original constitution of this House; but no very deep historical research was needed to establish the fact that the Barons, lay and spiritual—the one hereditary, the other for life—were an emanation from the Crown as the permanent branch of the Council of the Kingdom. They had found it desirable to separate themselves, in Edward the First's Reign, from the elective and continually changing portion of the Council, which consisted of delegates from shires and boroughs. It was a fallacy to suppose that popular election must, in accordance with some theoretic spirit of the age, be introduced into the constitution of every institution. Popular election, when in the hands of managers and Caucuses, ended less in popular representation than the constitution of this House. Election was not necessary to representation; and there might be too much of it for really popular interests. If such a principle were introduced into the composition of this House it would change it from being what it ought to be and was—a Supplemental Body, co-operating with the legislative action of the other House—into a mere rival of the other House and looking always to the same agencies outside. On these grounds, he maintained the Bill of the noble Marquess was the only safe proposal that had been submitted to the House.

THE EARL OF SELBORNE said, he was not at all alarmed by the suggestion which had been made that if this Bill passed it would not be final, but that something more might from time to time be done afterwards. When that something more was proposed the House would, of course, judge whether it would do good or evil. This was a subject as to which it was desirable to legislate from time to time upon matters which the House conceived to be practical, and which might be carried into effect consistently with the general principle of maintaining this House as an efficient Second Chamber. He was, therefore, not unwilling to contemplate the possibility of further measures. With regard to the Bill itself, he thought it was called for by the necessities of the country. He had been always one of those who thought that the House took a very strong measure when it laid down as a doctrine of Constitutional Law that the Crown, though it might create Life Peers, could not entitle them to seats in their Lordships' House, unless at the

same time there should be some sort of remainder by way of inheritance. That decision had been acquiesced in so long by the Crown and the country, as to make it now, practically, part of the Law of Parliament; but he thought it rendered necessary some such measure as this in order to get rid of the general exclusion of Life Peers, and, so far, he welcomed the measure of the noble Marquess. With regard to the limitations proposed by the noble Marquess, he concurred more distinctly in the limitation as to time than in that as to the maximum number. He quite agreed that there should be such a reasonable limit put to the number of Life Peers to be created within a definite space of time as would prevent an abuse of the power for the purpose of overturning instead of strengthening the Constitution. He had, however, more doubt of the limitation of the number to 50. He could not help thinking that it would not be a permanent limitation; he doubted whether it was desirable that it should be. If, as was not now proposed, but as might at some time be rendered necessary by the multiplication of Hereditary Peerages, the number of Peers who were to sit in the House and exercise legislative functions were limited, it was doubtful whether there would be any need for a definite limitation of the total number of Life Peers. The noble Marques proposed, in certain cases, to take power to recall, or not to issue, Writs to Peers who would otherwise have a right to sit in this House. That proposition appeared to him fairly to raise another question, on which his own opinion differed from that of many others. So far from considering that this House would lose strength, if those entitled to succeed to it were permitted to retain the status of Commoners until they applied for Writs, he thought the contrary. He thought it would be of considerable advantage if a person to whom the right to succeed to a Peerage had come were not compelled to resign a seat in the House of Commons until he applied for a Writ to issue summoning him to the House of Lords. He could not think that would in any degree tend to weaken the House of Lords; and if it were not done, persons, who, being in the line of succession to a Peerage had attained a position of eminence and usefulness in the other House of Parliament, might be dissatisfied with the hereditary part of the constitution of the House of Lords. His reasons for thinking that the House of Lords might gain more than it lost by such a change were, that, in the first place, it was most desirable that those who came to take a prominent part in the discussions of the House of Lords should have the opportunity of a good training in the House of Commons. They should accustom themselves to the prevalent tone and feeling of the constituencies and of the other House, and learn to understand and to be in sympathy with the views which prevailed there, and when they came to the House of Lords they should bring to it as much knowledge as possible of the other House and of its spirit and its way of doing Business. There had been cases where the necessity of a Member of the House of Commons leaving that House and entering the House of Lords on his succeeding to a Peerage had disturbed the whole political arrangements of the country. It was so when Lord Althorp became Lord Spencer, which caused almost a political revolution. Such cases might from time to time recur, and he thought it would be a great advantage if in these, and indeed in all cases, the successor to a Peerage might, at his option, remain a Commoner until he desired to take his seat in the House of Lords. It ought to be borne in mind that this was not a House in which young men, as a rule, took much part in the debates. Owing to what might be termed the absence of enthusiasm and the intermittent character of the debates, the younger Members of this House did not speak as often as the House of Commons would probably hear them if they sat in that House, and they had, therefore, not the same advantages in regard to preparation for the duties of a statesman as they would have if they remained longer in the House of Commons. Nor was it correct to say that if this choice were given, the most distinguished men to whom the right of Peerage came would always stay in the House of Commons. He believed that after they had acquired political influence and experience there, most of them would come to this House, when they could be of the greatest use to it. The late Lord Derby and Lord Russell came to this

House of their own free will, and men who had made their mark in the House of Commons, but who were getting on in years, constantly, of their own free will, left the House of Commons to become Members of that House. The House of Lords was very much in the position of a Senate, and into the character of a Senate the idea of seniority usually entered.

EARL GRANVILLE said, he did not rise to prolong this discussion, as it was somewhat inconvenient to discuss a Bill on the Motion for its first reading, and before the House had had an opportunity of studying the details. The discussion, however, he admitted, had led to some pertinent remarks from his noble Friend on that Bench and some interesting suggestions from the noble and learned Earl. He should not, on the present occasion, enter into the merits of the Bill, nor did he feel inclined to follow the example of the noble Duke (the Duke of Argyll), who imagined a speech as having been delivered by a noble Lord on that Bench, and then proceeded to demolish it. The speech which the noble Duke attributed to his noble Friend (the Earl of Rosebery) he had never heard delivered. The noble Duke attributed to the noble Earl a desire to make this Assembly subservient to the House of Commons. As far as he understood the arguments of his noble Friend the other day, it, on the contrary, appeared to be the object of his noble Friend to strengthen this House. The noble Earl very sensibly urged that every attempt should be made to bring the two Houses as much as possible into harmonious co-operation. He (Earl Granville) did not desire to go into the recent history of the House of Lords. It was not his business or wish to bring an indictment against it; but there were people who did wish to do so, and some remarks that had been made that evening would probably prompt those persons to show some recent instances in which certain measures certainly had been delayed by the House of Lords. Into this matter, however, he did not wish to enter; but he could not help referring to the attack made by the noble Duke against Mr. W. E. Gladstone, and the charge that Mr. W. E. Gladstone had some time ago stimulated the agitation against the House of Lords. No doubt, there was such an agitation of which a political Leader possessing Mr. W. E. Gladstone's power might have taken advantage and carried to a turning point; but their Lordships would, he felt sure, remember how Mr. W. E. Gladstone, on the contrary, abstained from fanning that agitation and was careful to do all in his power to calm it.

Bill read 1ª. (No 161.)

HOUSE OF LORDS (DISCONTINUANCE OF WRITS) BILL [H.L.]

A Bill to authorize the discontinuance in particular cases of the issue of writs of summons to the House of Lords—Was *presented* by The Marquess of Salisbury; read 1ª. (No. 162.)

LIMITED PARTNERSHIPS BILL [H.L.]

A Bill to establish limited partnerships—Was *presented* by The Lord Bramwell; read 1ª. (No. 159.)

House adjourned at a quarter before Seven o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 18*th June*, 1888.

MINUTES.]—SELECT COMMITTEE — Trustee Savings Banks, *appointed* and *nominated*.

WAYS AND MEANS—*considered in Committee*—*Resolution* [June 15] *reported*.

PRIVATE BILL (*by Order*)—*Considered as amended*—Alabama Great Southern Railway.

PUBLIC BILLS—*Ordered*—*First Reading*—Consolidated Fund (No. 2) *; Allotments Act (1887) Amendment (No. 2) * [299].

Committee—Local Government (England and Wales) [182] [*Seventh Night*]—R.P.

Committee—Report—Customs (Wine Duty) * [293].

Third Reading—Victoria University * [198], and *passed*.

Withdrawn—Corn Returns [177]; Land Law (Wales and Monmouthshire) [122].

PROVISIONAL ORDER BILLS—*Second Reading*—Local Government (Ireland) (Dublin Markets) * [291].

Third Reading—Local Government (No. 9) * [274]; Local Government (Poor Law) (No. 7) * [272], and *passed*.

PRIVATE BUSINESS.

UNITED TELEPHONE COMPANY BILL

(*by Order*).

SECOND READING.

Order for Second Reading read.

SIR JOHN LUBBOCK (London University) moved, "That the Bill be read a second time on Thursday week."

Motion made, and Question proposed, "That the Second Reading be deferred till Thursday 28th June."—(*Sir John Lubbock.*)

MR. KELLY (Camberwell, N.) said, he understood that the Bill had been put on the Paper that day for the purpose of being taken.

SIR JOHN LUBBOCK said, the understanding was that the Bill was not to be taken before Thursday next; and he had not been able to consult his hon. Friend, who took a more active part in the matter, as to the exact day on which he would be able to be present. He had, therefore, moved that the second reading be postponed until Thursday week.

MR. FIRTH (Dundee) said, he must be allowed to express a hope that the date of the second reading would now be definitely fixed, as hon. Members had been brought down to the House on several occasions in regard to the Bill.

Question put, and *agreed to.*

SOUTH STAFFORDSHIRE WATER BILL.

MOTION FOR AN INSTRUCTION TO THE COMMITTEE.

MR. KELLY (Camberwell, N.), in moving—

"That it be an Instruction to the Committee on the South Staffordshire Water Bill to insert the auction clauses with reference to the £60,750 unissued balance of the ordinary stock, and to the £41,637 unissued balance of the loan capital of the South Staffordshire Waterworks Company,"

and who was almost entirely inaudible, was understood to say that he was quite willing to make it optional on the part of the Committee to follow the Instruction, provided that, in the event of their not doing so, they had to give their reasons and the facts upon which these were grounded. He ventured to remind the House that if the Company had not obtained many years ago the power to raise money which they did not want, and had never used this unissued—and which then would have been new—capital would, as a matter of course, have been subject to the Auction Clauses, and he asked the House to say now that it should be treated as new capital. The present case was almost strictly analogous to that of the Limpsfield and Oxted Waterworks Company, where, when Parliament authorized the raising of new Stock, the unissued original Stock was made subject to the same restrictions as the new Stock. The question was, whether the ratepayers of the district were to pay interest upon an extra sum of £30,000 that would simply go into the pockets of the shareholders of the Company, and, in the event of the waterworks being taken over, were to be saddled with an additional sum of £30,000 for the Company's works? Practically, the Stock was now a certain 5 per cent Stock, and for the last 10 years the Company had paid a dividend of 4 per cent, and the shares had been steadily going up in value, and might be expected, at no very distant date, to reach the maximum dividend of 10 per cent. It would be said that the present high price of the Stock, which was quite recently sold at 138 ex. div., was due to the purchasers having counted upon getting allotments of the unissued Stock at par; but this could not seriously be contended, as little more than 15 per cent of the Stock had yet to be issued, and the increased value of the shares was really due to the fact that in the last 20 years the dividends had steadily increased from 1 to 5 per cent.

Motion made, and Question proposed,

"That it be an Instruction to the Committee on the South Staffordshire Water Bill to insert the auction clauses with reference to the £60,750 unissued balance of the ordinary stock, and to the £41,637 unissued balance of the loan capital of the South Staffordshire Waterworks Company."—(*Mr. Kelly.*)

MR. WIGGIN (Staffordshire, Handsworth), in opposing the Motion, said, the antecedents of the South Staffordshire Water Company were very different from what they had been represented to the House. He, therefore, wished to explain the exact position of affairs at the present moment. The great mining district of South Staffordshire was for many years, in consequence of the pre-

valence of coal, ironstone pits and other mining works all over the district, very badly supplied with water. The supply was altogether insufficient, and of a very poor description. A number of gentlemen interested in the district met together, and formed a small Waterworks Company, with the object of supplying water to the South Staffordshire district. They had to search pretty nearly all over South Staffordshire before they could obtain a good supply. Experts were employed, and, by their advice, an investigation was made in the neighbourhood of Lichfield, where an excellent supply was found in the new red sandstone. Engines of something like 400 or 500 horse-power were erected, by means of which water was pumped to a great elevation, and the supply was spread over a distance of something like 40 miles, from Derbyshire on the one side to Worcestershire on the other, and the area supplied by the Company was 20 miles in width. The water supplied was excellent, and was a great boon to South Staffordshire. The scheme, however, was of no advantage whatever to the shareholders for the first six years, as no dividend was paid the first six years. In the next two years a dividend of 1 per cent was paid, and from that period the dividend had gone on increasing, until last year it reached 5 per cent. The demand for the water was very great, and 10 or 12 years ago the Company had to apply to Parliament for powers to increase the supply. They obtained powers to sink an additional well at Channock Chase, a very expensive operation; and they were altogether authorized to raise new capital of £350,000, of which about £300,000 had been expended on new works, and about £60,000 remained to be allotted, the dividend being limited to a maximum of 7 per cent, of which, however, there was little probability of its ever being reached. The complaint was that the powers Parliament had granted had never been used, and that the capital had not been raised or expended on new works. It was quite true that the 100 shares were now worth about £135, and it was for that reason that the purchasers of the original shares hoped to obtain the allotment of the unused capital, which was not new capital in any sense whatever. If it were a new capital, he quite agreed with the hon. and learned Member for North Camberwell (Mr. Kelly) that it ought to be subject to the Auction Clauses. It was not, however, new capital, but capital issued and allotted some 10 years ago. It was capital in that position which the hon. and learned Member asked the House to put up for sale, and submit to the Auction Clauses, by which means the shareholders would be prejudicially affected. He trusted that the House would not sanction any such proposal. The Company were not asking for an extension of capital, nor were they proposing to erect any new works. They simply asked to consolidate certain Bills into one Act, as such a course would be more convenient and economical both to the Company and the district. He trusted that he had made himself properly understood. It was perfectly certain that the Company would be treated unfairly if any such repudiation as the hon. and learned Member referred to was agreed to.

MR. HINGLEY (Worcestershire, N.) said, he was not in any way mixed up with this Water Company, except as a consumer; but, as Mayor of Dudley, he was in a position to say that the water supply provided by the Company had conferred a considerable boon upon that borough. He thought it was scarcely fair, considering what the Company had done for the district, and the manner in which they had been called upon by the Sanitary Authority year after year to expend money, amounting in the aggregate to sums of from £10,000 to £30,000, to impose the restriction upon them which the hon. and learned Gentleman opposite (Mr. Kelly) had moved. For many years the Company had had a long succession of struggles, and the issue of the capital was required for the extension of works.

MR. COURTNEY (Cornwall, Bodmin) said, the hon. and learned Member for North Camberwell (Mr. Kelly) had stated his willingness to express the Resolution in a different form from that in which it now appeared on the Paper; but he had not moved it in an altered form, and it was now submitted to the House as an Instruction to the Committee on the Bill. It was quite unnecessary to give the Committee any such Instruction as the hon. and learned Member had moved. In the case of the Limpsfield and Oxted Bill a Committee certainly did

inquire into the matter, and had provided that unissued capital should be subjected to the Auction Clauses. But this case differed altogether from the Limpsfield and Oxted case, and he confessed that he did not see any reason for adopting the Instruction which had been moved. The Limpsfield and Oxted Bill extended the area of the operations of the Company, and applied for the extension of the authorized capital which had not been issued or required in connection with the original scheme. It was right, therefore, in that case to treat it as new capital, and it came before the Committee in the same form as if it were fresh capital about to be newly authorized. The present Bill dealt with a balance of unissued capital which was now required in order to complete the scheme which was originally authorized by Parliament. It was unexpended capital to be spent on work already sanctioned and not yet completed, and he thought that it would be taking a strong step to subject capital of that kind to the Auction Clauses. There was no question whatever of the issue of new capital. He would suggest to the hon. and learned Member for North Camberwell that, as he had shown by the example of Limpsfield and Oxted, the question could be inquired into without an Instruction to the Committee, he should withdraw the Motion, and leave the matter in the hands of the Committee.

MR. KELLY said, after what had fallen from the hon. Gentleman he would withdraw the Motion.

Motion, by leave, *withdrawn*.

QUESTIONS.

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LAW AND POLICE (SCOTLAND)—ARREST OF NEIL O'HARE—MISTAKEN IDENTITY.

MR. FRASER-MACKINTOSH (Inverness-shire) (for Dr. R. MACDONALD) (Ross and Cromarty) asked the Lord Advocate, Whether it is true that a person named Neil O'Hare, agent for a firm of Glasgow hide merchants, and well known for many years in the Western Highlands and Islands, was lately apprehended by the police in the parish of Lochalsh, and conveyed to a cell in the prison of Portree, and there detained from Saturday 2nd to Monday 4th June current, notwithstanding substantial bail being offered for his appearance by friends to whom he was well known; whether O'Hare repeatedly protested his innocence of any crime, and asserted that the police were mistaken in apprehending and detaining him if they were really in search of some accused person; whether on the Monday night O'Hare was discharged, without apology or explanation, other than he had been taken for a person of the same name accused of committing some offence in another county; and, whether, seeing O'Hare was a well-known and law-abiding person for whom bail was tendered, he, the Lord Advocate, will take such steps as may be necessary to prevent such conduct on the part of the police in the future, and cause Neil O'Hare to be properly compensated?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): It is the fact that a person of the name given was apprehended by the Skye police, at the instance of the Argyllshire authorities, at Tobermory. He unfortunately bore the same name, and was engaged in the same class of work in the same part of the country, as a man against whom a charge of serious crime was laid in Argyllshire. He was brought to Portree, and a full description of him was at once telegraphed to Tobermory, the Police Inspector making arrangements to keep the wire open after hours that night, so that the authorities at Tobermory might communicate without delay. Instructions came that night to send him in custody to Tobermory on the following Monday. It appeared from a letter found on the man that his wife lived in Ireland, and the Inspector telegraphed this fact to Tobermory. The Procurator Fiscal at Tobermory telegraphed on Monday morning to say that the wife of the man wanted had been ascertained not to live in Ireland, but at Oban, that he thought there must be a mistake, and that O'Hare should be liberated. He mentioned in the telegram a point of personal description which might be a good test; and the Inspector, on examination, found that the man in custody did not answer to it. On this being communicated the man was at once liberated. O'Hare, and a man believed to be his brother, did ask

whether he could be admitted to bail; but was correctly informed by the Inspector that he had no power to do so. The question of bail could not, by law, be considered until he had been brought before a magistrate having jurisdiction in the place of the alleged crime. The Inspector, on liberating O'Hare, expressed to him his sincere regret that in doing his duty he had been compelled to detain him, and at the annoyance to which O'Hare had been subjected by the mistake of identity. I do not consider that the Inspector was to blame in the circumstances. He appears to have taken every step possible to prevent any delay in clearing up the matter, and to have O'Hare released if he were not the right man. It is not in my power to order any compensation to be made to O'Hare; but I think it right publicly in this House to express the regret of the authorities at an occurrence which is one of those that, unfortunately, must take place occasionally, even in the most careful conduct of duties of criminal prosecutions.

NORTH AMERICAN FISHERIES—SEAL FISHING IN BEHRING SEA.

MR. GOURLEY (Sunderland) asked the Under Secretary of State for Foreign Affairs, Whether it is true that the United States Government have officially announced the departure of the war ship *Dolphin*, and three other armed vessels, to the Behring Sea, with instructions to seize British or other vessels engaged in seal fishing in those waters; if Her Majesty's Government have sent a war ship to warn masters of British sealing vessels of the consequences of infringing the Alaskan Laws; and, if any of the vessels seized for alleged illegal fishing in 1886 and 1887 have been, as promised, released?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): In so far as Her Majesty's Government are aware, no such announcement has been made by the United States Government, nor has any British ship of war been ordered to Behring Sea. Orders have been given by the United States Government that the three British vessels seized in 1886, with their tackle, apparel, and furniture, should be restored to their owners. The vessels in question were the *Onward*, *Caroline*, and *Thornton*. As regards the seizures in 1887, we have not heard that any of them have been released; but proceedings in connection with all the seizures are before the American Law Courts.

CRIMINAL LAW (SCOTLAND)—SUSPICIOUS DEATH OF D. BALLINGALL, CO. FIFE.

MR. ASQUITH (Fife, E.) asked the Lord Advocate, Whether his attention has been called to the death under suspicious circumstances, on April 8, of a gamekeeper called David Ballingall, near King's Kettle, in the County of Fife; whether it is the fact that two men, named Andrew Walton and David Wright, were arrested on suspicion, and have since been set at liberty; whether he can state why these men were not put on their trial; and, whether any further steps have been, or are being, taken to investigate the circumstances of Ballingall's death?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): My attention has been called to this matter. The facts are as stated by the hon. Member. After full inquiry, no evidence was obtained connecting either of the persons arrested with the event. Instructions were given that if any further evidence could be obtained, to report again and at once to the Crown Counsel.

ROYAL MILITARY COLLEGE, WOOLWICH—ENTRANCE EXAMINATIONS.

SIR HENRY ROSCOE (Manchester, S.) asked the Secretary of State for War, What progress has been made in the arrangements for so altering the Regulations for the Entrance Examinations to Woolwich that the subject of natural science shall be duly represented?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I am sorry to be obliged to ask the hon. Member to postpone his Question for a week. We are still in communication with the Civil Service Commissioners on the subject; but I have every hope of arriving at new Regulations which will satisfy the hon. Member's claims on behalf of science.

PATENTS—SPECIFICATIONS OF COLONIAL PATENTS.

SIR BERNHARD SAMUELSON (Oxfordshire, Banbury) asked the President of the Board of Trade, Whether his attention has been called to the fact that, whilst the specifications of American and other foreign patents are supplied regularly, and at an early date, to the Patent Office Library, and whilst our Patent Office supplies copies of patents taken out in this country punctually to our Colonies, information as to Colonial patents is received in this country at long intervals only, and in an incomplete form; whether he is aware that the absence of correct information as to Colonial patents tends to occasion great inconvenience, and not unfrequently considerable loss on our manufactures; and, whether he will endeavour, through the medium of the Colonial Office, to induce our Colonies to reciprocate the advantage which they derive from the early and regular information given to them of our patents, by furnishing to us similar information in return with regard to theirs?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, he was informed that there was some delay in forwarding specifications of Colonial patents to the Colonial Office, and that inconvenience was occasioned at the Patent Office Library thereby. The Secretary of State for the Colonies was in communication with the Colonial Governments on the question, with a view to an improvement in this respect.

EDUCATION DEPARTMENT (ENGLAND AND WALES)—WITHHOLDING GRANTS FROM VOLUNTARY SCHOOLS.

SIR CHARLES PALMER (Durham, Jarrow) asked the Vice President of the Committee of Council on Education, Whether any instructions have been given to Her Majesty's Inspectors of Schools to withhold grants from voluntary schools unless the managers made certain extensions of the school buildings, although these buildings satisfied the requirements of Her Majesty's Inspectors in 1885 and 1886, and there has been no increase in the average attendance since that time?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford): No, Sir; no such instructions as are indicated in the Question have been issued. If the hon. Baronet will give me particulars of any special case I will make inquiries, it being important to secure uniformity in dealing with these questions.

IMPERIAL DEFENCES—THE GUNS AT ADEN.

MR. ERNEST BECKETT (York, N.R., Whitby) asked the Secretary of State for War, Whether he has discovered who was responsible for sending guns to Aden without sights; whether he intends to call the delinquent to account for his negligence; and, what he proposes to do to prevent, as far as he can, a recurrence of such negligence in the future?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): These were guns of a new description, and some delay arose in making sights owing to a question of pattern. As the latter are small articles, readily fixed and always packed separately from the guns, the officer whose duty it was to despatch the stores considered that it was best to forward the guns, which would take some time to mount, without waiting till the sights were ready. And as he had every reason to feel confident that, as the guns would take some time to mount, the sights could be sent out in ample time, I do not feel called upon to visit his conduct with censure. But this omission was not reported to the Director of Artillery at the time, as it should have been; and I have taken due notice of the omission. Steps have been taken to secure that, in future, all essential fittings for guns shall be ready for despatch as soon as the guns themselves.

PRISONS (IRELAND)—DISMISSAL OF JOHN DALY, SLIGO PRISON.

MR. SHEEHY (Galway, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Prison Warder John Daly, of Sligo Prison, has been dismissed, after sworn inquiry, for having allowed prohibited articles into the possession of a prisoner; when

was the inquiry held; when was its result communicated to Daly; and, whether he has any objection to furnishing a copy of the information sworn at the inquiry to Daly?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The man referred to was dismissed for the reason stated. Subsequently, on his own request, a sworn inquiry was held on the 26th of April. The result, which confirmed the decision already arrived at by the General Prisons Board, was communicated to him on the 9th of June. The Board report that the course suggested would be contrary to practice.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask the right hon. Gentleman if Daly was examined at the inquiry; and, also, if the Government made any inquiry of the prisoner in question—my hon. Friend the Member for South Galway (Mr. Sheehy)?

MR. A. J. BALFOUR: I am not aware if that is so.

POOR LAW (IRELAND)—THE LOUGHREA DISTRICT.

MR. SHEEHY (Galway, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, What action has been taken with regard to the appointment of Registrar for the Loughrea District; also with regard to the appointment of sub-sanitary officer of Loughrea Union; and, why the application of the Guardians of Loughrea Union for a powder licence for Mr. Peter Sweeney, their building contractor, has been delayed, which delay has prevented Mr. Sweeney from carrying out important public contracts?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The person who acted *ad interim* Registrar has been appointed to the vacancy. The Guardians have appointed a sanitary sub-officer, and have submitted the appointment for the sanction of the Local Government Board, before whom the matter now is. As regards the last paragraph, the Guardians have been already informed that a licence for dynamite and blasting powder cannot be issued to the man referred to, as he is not considered a fit person to hold such a licence.

MR. SHEEHY: May I ask the right hon. Gentleman how long the Local Government Board have had under their consideration the question of sanctioning the appointment of the sanitary officer?

MR. A. J. BALFOUR: I cannot answer that.

ARMY (AUXILIARY FORCES)—THE MILITIA — FINES FOR DRUNKENNESS.

SIR JOSEPH BAILEY (Hereford) asked the Secretary of State for War, Whether the amount that has accrued from fines for drunkenness in the Militia since 1878 will be distributed among the battalions of that Force, in accordance with the precedent of 1879; and, if so, whether deprivations of Militia bounty for offences will be similarly dealt with?

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) (who replied) said: There is no accumulation from these fines, as the amount is spent from year to year in aid of increased pay to the Militia sergeants and corporals. The hon. Member will find that the sum is taken as an appropriation in aid of Vote 5 of the Army Estimates.

INDIA—THE UNCOVENANTED CIVIL SERVICE—FURLOUGHS.

MR. MAC NEILL (Donegal, S.) asked the Under Secretary of State for India, Whether it is a fact that members of the Uncovenanted Civil Service of India who were in receipt of a salary of Rs.6,000 a-year on February 10, 1876, and those appointed by the Secretary of State for India, obtain two years' furlough on half-pay after eight years' service, whereas members of the Uncovenanted Civil Service who have been appointed by the Governor General of India can only obtain one year's furlough after 10 years' service; and, on what principle is this distinction drawn between members of the Uncovenanted Service appointed by the Secretary of State and those appointed by the Indian Government?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): (1.) Yes; subject to the qualification that those to whom the first part of the Question relates held certain specified offices at the date mentioned; and that those mentioned in the last part of the Question have been appointed by the

Governor General in Council without the sanction of the Secretary of State, given either before or after the appointment. (2.) On the principle that the Uncovenanted Service should be recruited, as far as possible, from Natives of India; and that appointments carrying the special privilege mentioned should be filled by officers who are selected in England with special qualifications, or who have gained their appointments by competitive examination involving expensive training.

INDIA—THE UNCOVENANTED CIVIL SERVICE—PENSION RULES.

MR. MAC NEILL (Donegal, S.) asked the Under Secretary of State for India, Whether members of the Uncovenanted Civil Service of India who are nominated by the Secretary of State for India as officers of the Public Works, Telegraph, and Forest Departments are allowed to count service for retirement on pension from the year they leave Cooper's Hill or other College, irrespective of age, whereas service before the age of 22 years, in the case of an Uncovenanted civilian appointed by the Governor General of India, is not permitted to count as service for retirement on pension; whether officers in the Administrative Departments of the Uncovenanted Civil Service of India have been placed, before the age of 22, in charge of Divisions of Districts, and in exercise of the powers of magistrates of the first class; did the Government of India in 1868 recommend that the limit of age for service counting for pension should be reduced; and did the then Secretary of State for India refuse to entertain it; and, on what principle is this distinction drawn between different members of the Uncovenanted Civil Service of India?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The answer to Questions 1, 2, and 3 is affirmative. The principle of the distinction is that more favourable Pension Rules are given to Departments recruited in this country, for which special training is requisite.

AFRICA (SOUTH)—THE AMANDEBELE COUNTRY.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale) asked the Under Secretary of State for the Colonies, Whether he can now state the boundaries or extent of the "Amandabele country with its dependencies" (mentioned in the Treaty of Friendship of 11th February of this year), of which the permanent Chief, Lobengula, undertakes not to alienate any portion without the previous sanction of Her Majesty's High Commissioner for South Africa; and, whether he can state whether that territory is bounded on the north by the Zambesi River?

THE UNDER SECRETARY OF STATE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): Her Majesty's Government are not at present in a position to state precisely the boundaries and extent of the territory over which Lobengula claims to have authority. It is, however, understood that this territory is bounded, in part at all events, to the northward by the Zambesi.

SCOTLAND—ISLAND OF LEWIS—PAYMENT OF RATES.

DR. CAMERON (Glasgow, College) asked the Lord Advocate, If he can state the amount of poor and education rates due by owners and occupiers respectively in the Island of Lewis for the present year which is still unpaid; whether it has been customary in that Island for the owner to collect rates with the rents in the case of holdings under £4 annual rental; whether it is true that, in consequence of the refusal of the principal owner in the Island to pay tenants' rates in the customary manner, thousands of crofters are in danger of being struck off the roll of Parliamentary voters; and, how many collectors there are in the Island to whom small tenants can pay their rates direct, so as to enable them to retain their status as voters?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): It has been impossible, since this Question was put upon the Paper, to obtain all the particulars required by the hon. Member; but I may state that recently £3,574 of rates have been paid up by proprietors and tenants. The principal proprietor's factor has declined to pay the rates for those tenants under £4 who have not paid any rents, but has paid the rates of all who have paid rent. There are four

collectors of rate—namely, in Stornoway, Barvas, Lochs, and Uig.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 — THOMAS BARRY, CONVICTED OF CONSPIRACY.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in the case of Thomas Barry, convicted on May 31st, at Castle Martyr, of conspiracy, and sentenced by Resident Magistrates Gardiner and Redmond to a month's imprisonment, any evidence was taken beyond the fact of his personal refusal to supply goods to a member of the Constabulary?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): It would seem that much additional evidence was taken. It was proved that a Boycotting conspiracy existed among several shopkeepers not to deal with the police, involving, as such conspiracies always do, mutual compulsion and coercion.

MR. W. E. GLADSTONE: My Question was rather more specific than that. I knew that several persons were tried at the same time; but my Question is, whether, in the case of the man I have mentioned, Thomas Barry, evidence was taken beyond the fact of his personal refusal to supply goods that he was implicated in the conspiracy?

MR. A. J. BALFOUR: Yes, Sir; evidence of conspiracy was given.

MR. W. E. GLADSTONE: In this case I hope the right hon. Gentleman will consent to lay the evidence on the Table.

MR. A. J. BALFOUR: That would be a very unusual course. [An hon. MEMBER: No, no!] The hon. Gentleman who said "No, no" cannot have had much Parliamentary experience; but it is a very unusual course to lay the evidence in such a case on the Table, and I could not give an answer in the affirmative without consideration.

SIR WILLIAM HARCOURT (Derby): May I ask a Question with reference to this? I have read an account of the evidence in this case; and I cannot find there is any such evidence as that stated by the right hon. Gentleman in the printed account. I wish to know, will the right hon. Gentleman furnish from some other source the evidence to which he refers?

MR. A. J. BALFOUR: Yes; for the right hon. Gentleman's satisfaction, I believe I can supplement the printed account.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): May I ask the right hon. Gentleman, whether or not it was sworn at the trial that Barry was a member of the conspiracy?

MR. A. J. BALFOUR: Well, Sir; I have stated what I believe to be the fact, that evidence as to Barry's participation in this conspiracy was given at the trial. I do not know that I can give a more specific reply either to the hon. Gentleman, or to the Question of the right hon. Gentleman opposite.

BOARD OF TRADE (WORKING OF RAILWAYS).

MR. CHANNING (Northampton, E.) asked the President of the Board of Trade, Whether he is now in a position to introduce a short Bill to deal with the several points of safety arrangements on railways, and Returns of Overtime Work, on which he undertook, on the 8th of May last, to legislate?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, he had no hope, during the present Session, of introducing such a Bill. As to the Returns of Overtime, he intended to insert in the Railway and Canal Traffic Bill a clause requiring statistics, which he thought would cover that point.

POST OFFICE—CONVEYANCE OF MAILS —NORTH OF SCOTLAND.

MR. FINLAY (Inverness, &c.) asked the Postmaster General, What arrangements had been made for the conveyance of mails by the down London day mail combined with the Scotch night mail from Perth to Inverness and the North of Scotland after the 30th of June.

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University), in reply, said, he had assented to a proposal made by the Railway Company that the train conveying the London day mail and the Scotch night mail from Perth to Inverness should remain under the control of the Post Office. No alteration would, therefore, be made after the 30th.

ENGLISH UNIVERSITY COLLEGES.

SIR JOHN LUBBOCK (London University) asked Mr. Chancellor of the

Exchequer, Whether he can yet state the intentions of Government as to affording any assistance to the English University Colleges?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): This Question would have been more properly addressed to my right hon. Friend the Vice President of the Council. I may say, however, that I believe that the Lord President and the Vice President received a deputation on this subject, and have since been in communication with the various Colleges, in order to ascertain all the material facts of their position. The information asked for is not yet, in all cases, complete.

THE METROPOLITAN ASYLUMS BOARD—SMALL-POX HOSPITAL AT DARENTH.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the President of the Local Government Board, Whether the Metropolitan Asylums Board has accepted a tender for the erection of a small-pox hospital at Darenth which is £5,000 in excess of the lowest of the nine tenders received?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The tenders for the erection of the hospital for convalescing small-pox patients at Darenth ranged from £41,928 to £59,100. The lowest tender was by a firm at Sleaford; and before the tender was accepted the managers received a communication from the firm requesting that they might be allowed to withdraw their tender, as the cost of the cartage and other matters very much exceeded what they had anticipated. The next lowest tender, which was for £47,000, was accepted.

CHELSEA HOSPITAL—GEORGE WILLIAMS—ARREARS OF GOOD CONDUCT PAY.

MR. ARTHUR O'CONNOR (Donegal, E.) asked the Secretary of State for War, Upon what grounds the Commissioners of Chelsea Hospital refuse to pay to George Williams the amount of arrears of good conduct pay to which he is entitled, and which was certified to be due to him, and payment of which was promised by the Letter of the Commissioners, No. I. Bd. 1. 6. 85, Case No. 31, dated 8th June, 1887?

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) (who replied) said: Under the Warrant of 1848, 1*d.* a-day was added for each good conduct badge to pensions—whether temporary or permanent—granted on their discharge to soldiers incapacitated in the Service—the temporary pension being renewable for such period as the circumstances might warrant. It was decided by Viscount Cardwell, in 1870, that a temporary pensioner, whose pension was so renewed, had no claim to have good conduct pay added to the renewed pension. Pensioner Williams claims arrears of this good conduct pay, which was not added to his renewed pension in 1865. The present Secretary of State is of opinion that a soldier who was granted a temporary pension under such circumstances, and whose temporary pension was so renewed or made permanent, should have the good conduct pay added to pensions, as had been the case up to the decision of Viscount Cardwell in 1870. He caused his interpretation of the Warrant to be notified to the Chelsea Commissioners, who informed Williams that he would get the arrears. It was subsequently pointed out that the Secretary of State would require the approval of the Treasury to a reversal of the decision of a former Secretary of State, involving the grant of arrears. The Treasury differed from the Secretary of State in his interpretation of the Warrant, and held that, as the Chelsea Commissioners and Secretary of State for the time being refused to recognize the claim, their Lordships could not grant the arrears asked for.

ROYAL MILITARY ACADEMY, WOOLWICH—POST OF CHAPLAIN.

LORD HENRY BRUCE (Wilts, Chippenham) asked the Secretary of State for War, Whether it is true, as stated in the Press, that it is the intention to disestablish the post of chaplain at the Royal Military Academy, Woolwich; and, if so, on what grounds?

MR. HOWORTH (Salford, S.) also asked, If the recent Regulation, dispensing with a chaplain at the Woolwich Academy, is a permanent or only a temporary one?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): No definite decision has been arrived at. I am sorry to say that there is no chapel in the Royal Military Academy, and, therefore, there is some doubt as to the necessity for a resident chaplain, unless the duty can be taken, as it formerly was, by one of the Professors; but there is no intention of leaving the cadets without proper spiritual supervision.

POST OFFICE—LETTERS FROM THE SQUADRON IN CHILIAN WATERS.

COMMANDER BETHELL (York, E.R., Holderness) asked the Postmaster General, Whether it is the case that the Chilian Government have recently refused to allow letters to be sent to the British Squadron serving in Chilian waters in any other way than through the post office; and, if so, whether he will be able to arrange any plan by which the seamen and marines can continue to send and receive their letters for 1*d.*, in accordance with the privilege that has been granted to them for many years in all parts of the world?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): I am not aware that the Chilian Government has recently refused to allow letters to be sent to the British Squadron in Chilian waters in any other way than through the Post Office. That Government has certainly within the last few months raised objections to the delivery of bags containing homeward letters direct from Her Majesty's ships in Chilian waters to mail packets proceeding to England; but I have been in communication with the Secretary of State for Foreign Affairs on the subject, and I have no reason to suppose that the diplomatic steps taken in the matter will fail to secure the maintenance of the privilege.

POOR LAW (IRELAND) — INDEBTEDNESS TO CONTRACTORS FOR FOOD.

COLONEL NOLAN (Galway, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that in five Unions of Ireland a considerable debt has been incurred to contractors for food supplied for purposes of relief under the belief that it would be met by the provisions of the Relief Act passed by the present Government; and, if the Government will find money to settle such of these debts as are owed for goods *bonâ fide* supplied, or if they will introduce a measure which will enable these five Unions to borrow money to pay the contractors; and, if not, will they suggest any course by which these contractors can recover the money of which they are actually out of pocket?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): It is the case that the Guardians of five of the Unions scheduled under the Poor Relief Act, 1886, incurred large debts to contractors who supplied food for the purposes of exceptional out-door relief. The Guardians had no grounds for believing that this debt would be met by Government; and they were warned by the Local Government Board of the consequence of extravagant expenditure. As regards the concluding portion of the Question, I beg to refer the hon. Member to the reply I gave a few days ago in regard to the Swinford Union.

COLONEL NOLAN: What was that?

MR. A. J. BALFOUR: I certainly do not propose to pay the debts of these Unions.

COLONEL NOLAN: But will you allow legislation by a private Member for the purpose?

[No reply.]

BRITISH GUIANA — MEDICAL INSPECTOR OF ESTATES HOSPITAL.

DR. FARQUHARSON (Aberdeenshire, W.) asked the Under Secretary of State for the Colonies, Whether it is the case that the Court of Policy of the Colony of British Guiana have passed a Resolution requesting the Secretary of State for the Colonies to remove the Medical Inspector of Estates Hospitals from his office; whether this action of the Court of Policy is traceable to a Report made by that officer in the course of his duties which was considered to have "injuriously reflected on the planters;" and, whether it is the intention of the Colonial Secretary to comply with this demand without investigating the correctness, or otherwise, of the allegations contained in the Report?

THE UNDER SECRETARY OF STATE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The Combined Court have passed a Resolution

of the nature suggested in the first paragraph of the hon. Member's Question. The action of the Court is understood to be the result of dissatisfaction on the part of the members with the manner in which the officer has discharged the duties of his office; and particularly with certain statements in an Official Report made by him, which they consider to have reflected unjustly on the employers of immigrant labour. The Secretary of State has received such conflicting statements supporting and contradicting the allegations in the Report that he would be unable to arrive at a conclusion as to their correctness without a Commission of Inquiry; and he has not considered the question to be of sufficient importance to justify the expense of such a Commission. He had already decided, before receiving this Resolution of the Court, to transfer the officer in question to another appointment in the Colonial Service.

PASSENGER ACTS — THE TRANSATLANTIC STEAMERS FROM LIVERPOOL.

DR. TANNER (Cork Co., Mid) asked the President of the Board of Trade, Whether Transatlantic steamers sailing from the ports of Liverpool and Queenstown ever put to sea with an over complement of passengers; and, whether the ship's surgeon is, or has been, instructed in such cases by the authorities from Liverpool offices, or their agents at Queenstown, after leaving port to make over the hospital for such passengers' accommodation?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.): The emigration officer is the last person to leave the ship before she sails, and it is his duty to see that there is for every passenger the space and accommodation required by Statute. I have every reason to believe that the duty is strictly performed.

DR. TANNER: May I ask, whether the Board of Trade inspecting emigration officers always visit the hospital before they leave the ship?

SIR MICHAEL HICKS-BEACH: I presume they make such inspection as they consider necessary?

DR. TANNER: I beg to give Notice that on going into Committee of Supply I shall raise this question.

ADMIRALTY—H.M.S. "BELLEISLE."

SIR THOMAS ESMONDE (Dublin Co., S.) asked the First Lord of the Admiralty, Where H.M.S. *Belleisle* is at present; how long she has been absent from her moorings at Kingstown; and, when she is to return there?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The *Belleisle* is at present at Devonport, undergoing her annual re-fit. She has been absent from her moorings since January last on special duty, and will return there as soon as the summer manœuvres are over — in about six weeks.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—SECRET INQUIRY AT FALCARRAGH, COUNTY DONEGAL.

MR. W. REDMOND (Fermanagh, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the following in *The Daily News*:—

> "At Falcarragh yesterday four prisoners were remanded for the fourth time to Derry Gaol for seven days for refusing to give evidence. An old man named Shane O'Donnell fainted on his third journey from gaol. He was with great difficulty resuscitated, and was eventually discharged;"

how long has O'Donnell been in prison altogether; and, has he been charged with, or convicted of, any crime?

THE CHIEF SECRETARY (Mr. A J. BALFOUR) (Manchester, E.): The District Inspector of Constabulary reports that *The Daily News*' allegation that O'Donnell fainted is untrue. On the contrary, he was perfectly well during the entire journey. O'Donnell can hardly be described as an old man. His age is 64. He was first committed to prison on the 24th of May, and brought up on two subsequent occasions on remand, and finally discharged on the 13th of June. There were no previous convictions against him.

MR. W. REDMOND: May I ask the right hon. Gentleman the alleged offence on which he was discharged?

MR. A. J. BALFOUR said, he would require Notice of that Question.

MR. W. REDMOND: May I point out that the right hon. Gentleman has failed to answer that portion of the Question in which I inquired how long

O'Donnell was in prison, and if he was convicted of any crime, or charged with any crime, and that the right hon. Gentleman said there was no previous conviction.

MR. A. J. BALFOUR: Certainly he was committed for an offence—of refusing to answer a question that he could have answered. With regard to the other Question of the hon. Member, I stated that he was committed on the 24th of May, and finally discharged on the 13th of June.

MR. W. REDMOND: May I ask the right hon. Gentleman, upon what ground he makes the allegation that the man was committed to prison for not answering a question which he could have answered? How does the right hon. Gentleman know that the man could have answered the question or not? What evidence was there to show that he could have answered it?

MR. A. J. BALFOUR said, the Resident Magistrate so held from the facts of the case.

EGYPT—MISSION OF MUKHTAR PASHA.

MR. LEGH (Lancashire, S.W., Newton) asked the Under Secretary of State for Foreign Affairs, If he can give any information as to the probable duration of Mukhtar Pasha's Mission in Egypt?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): I can only reply to my hon. Friend, as I have done on previous occasions, that Her Majesty's Government are unable to give any information on the subject of the probable duration of Mukhtar Pasha's Mission.

PUBLIC MEETINGS (METROPOLIS)—COLLECTIONS OF MONEY—THE PARKS AND OPEN SPACES.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) asked the Secretary of State for the Home Department, If he will bring in a Bill to repeal the by-law of the Metropolitan Board of Works, which gives power to prohibit public meetings amongst the poorer classes of the Metropolis by taking from them the power of collecting money to pay their printing and other expenses?

MR. BRADLAUGH (Northampton) also asked, Whether the right hon. Gentleman will make inquiry into the grounds alleged by the one ratepayer on which the Metropolitan Board of Works made the additional by-law forbidding collections on open spaces approved by him on the 24th of February last; whether he will inquire if similar collections have taken place without objection in the Metropolis on behalf of Sunday bands for more than 33 years, and on behalf of various political and charitable objects for more than 40 years, and whether any breach of the peace or other public evil or annoyance has arisen in consequence of such collections; and, whether, pending such inquiry, he will direct the police not to initiate further prosecutions for alleged breach of such additional by-law?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have been in further communication with the Board of Works, who inform me that the by-law complained of does not apply to collections of money on behalf of bands and musical performances which have been expressly allowed by the Board. These collections are made in the form of selling programmes and letting of chairs, and are not of the same character as collections made after public meetings, when persons frequenting the Parks, whether they join the assemblages or not, are solicited for money. I have asked the police to report to me whether the practice, in their opinion, tends to a breach of the peace, or creates any public evil or annoyance. I have also written to the Board of Works asking them to consider whether, inasmuch as no by-law such as this is in force in the Royal Parks, and inasmuch as its enforcement has apparently occasioned more vexation and annoyance than it prevents, any sufficient reason exists for maintaining it. The power of varying and altering by-laws is vested in the Board of Works. The prosecutions are instituted by them, and not by the police. I hope legislation may not be necessary on this subject now that attention has been drawn to it.

MR. BRADLAUGH asked, whether the right hon. Gentleman was aware that on the previous day several policemen in uniform, and some in plain clothes, were employed in taking down the names and addresses of persons collecting, and that special action was being taken by the Police Authorities in connection with those collections?

MR. MATTHEWS said, he was not aware that such proceedings had been in progress. The prosecutions were initiated by the Board upon information which the Board had themselves gained.

MR. BRADLAUGH further asked the right hon. Gentleman, did he know that the by-law, as it stood, gave Park-keepers under the Metropolitan Board of Works authority to enforce the by-law; and that the action taken by the police in uniform gave the impression that they were acting under the instructions of the Government?

MR. MATTHEWS said, he would take care that no such impression as that could be justified.

THE PARKS (METROPOLIS)—COLLECTIONS OF MONEY.

MR. J. ROWLANDS (Finsbury, E.) asked the First Commissioner of Works, Whether collections are allowed after meetings held in the Royal Parks in London; and, whether such collections have lately taken place?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): There is no rule against making collections after meetings in the Royal Parks. Such collections have recently been made.

FACTORY AND WORKSHOPS ACT — VACANCIES IN THE STAFF OF INSPECTORS.

MR. BROADHURST (Nottingham, W.) asked the Secretary of State for the Home Department, Whether it is true that there are two vacancies in the staff of Factory and Workshop Inspectors; and, if so, whether one vacancy has been open for some months; and, whether, seeing the strong evidence before the Select Committee on the Sweating System of the necessity for increased inspection of factories and workshops, the Government will fill the vacancies without further delay?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): There is at present only one vacancy in the Factory Inspectors' Department, a vacancy which recently occurred having been filled up by an Inspector who was redundant on the staff. The other vacancy has been open for some months, for this reason. I nominated a gentleman who seemed to me to be well qualified, as he had practical experience in factory work. For reasons which I need not detail to the House, but which do not alter my opinion as to his fitness, he was unable to satisfy all the requirements of the new scheme of examination which was settled by my Predecessor. I hope, however, that in a short time he will be able to satisfy the Civil Service Commissioners, and the vacancy will be filled.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—THE RESIDENT MAGISTRATES.

MR. MAC NEILL (Donegal, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, What steps has the Lord Lieutenant taken to satisfy himself of the legal knowledge of the Resident Magistrates who try cases under the Criminal Law and Procedure (Ireland) Act, especially cases of conspiracy?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The duty referred to is one vested solely in the Lord Lieutenant by Statute. He acts with a full sense of his responsibility in the matter; and I do not see that any public advantage would be served by entering into the explanation required in the Question, even if it were proper for me to do so.

LAW AND JUSTICE — "INFERIOR COURTS OF RECORD"—THE RETURNS.

MR. BRADLAUGH (Northampton) asked the Secretary of State for the Home Department, with reference to the note in italics at the head of the Return, "Inferior Courts of Record," showing that such Return is "preliminary," If he can state when the complete Return is likely to be laid before the House; and, in the event of it being impossible to furnish such Return by an early day, whether he can make any statement as to the probable number and nature of the Inferior Courts not included in the Preliminary Return?

THE UNDER SECRETARY of STATE (Mr. STUART-WORTLEY) (Sheffield, Hallam) (who replied) said: It is impossible to say when the complete Return will be ready. Urgent application for the requisite particulars has

been made to 194 Courts, in addition to those to which the preliminary Return relates. Inasmuch as there are doubts whether many of these Courts are not obsolete, much difficulty is anticipated in obtaining the whole of the information sought for. As to their nature, 57 of them are Courts of Request; 56 "Hundred" Courts; 75 Borough Courts; one is a University Chancellor's Court; and five are miscellaneous.

THE WESTERN PACIFIC—EXPULSION OF THE REV. JOHN JONES FROM MARE.

MR. JOHNSTON (Belfast, S.) asked the Under Secretary of State for Foreign Affairs, Whether he will produce the *précis* of a conversation between the Acting Consul at Noumea and Mr. Lacascade, then Director of the Interior for New Caledonia, forwarded to the Foreign Office two years ago by Consul Layard; whether the Vice Consul, New Caledonia, now in London, has given any information respecting the expulsion by the French of the Rev. John Jones from Maré; and, whether a satisfactory settlement of the case of Mr. Jones has yet been obtained by Her Majesty's Government?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): I can only state that communications are in progress on the subject of the hon. Member's Question, and that it is not desirable to present any Papers just now.

THE THAMES EMBANKMENT—SUBWAY FROM PALACE YARD.

MR. COX (Clare, E.) (for Mr. CONYBEARE) (Cornwall, Camborne) asked the Secretary of State for the Home Department, Whether he can now state what conclusion he has arrived at respecting the opening to the public use of the subway leading from the corner of Palace Yard to the Thames Embankment?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.) said: After consulting with the First Commissioner of Her Majesty's Office of Works, I have come to the conclusion that there will be no objection to the re-opening of the subway from Palace Yard to the Thames Embankment to the public use.

PRISONS (IRELAND)—PRISONERS AT LOUGHREA.

MR. W. REDMOND (Fermanagh, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the following protest of 11 prisoners in Loughrea as to their treatment:—

"Taken from our beds at 3 o'clock on Wednesday morning, kept in the police barracks and Court until 2 o'clock, when the inquiry commenced, forced to sit listening to depositions being read until 6 that evening, and then, having our application for bail refused, committed to Loughrea Bridewell (11 men in all), where there was only accommodation for three, and even these beds were almost wet and filthy;"

and, whether he will inquire into the truth of these allegations; and, if they are true, take steps to prevent similar treatment of unconvicted prisoners?

MR. HARRIS (Galway, E.) also had the following Question on the Paper:—To ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to the following statement alleged to have been made by 11 men charged under the Criminal Law and Procedure (Ireland) Act at Loughrea on Wednesday:—

"Taken from our beds at 3 o'clock on Wednesday morning, kept in the police barracks and Court until 2 o'clock, when the inquiry commenced, forced to sit listening to depositions being read until 6 that evening, and then, having our application for bail refused, committed to Loughrea Bridewell (11 men in all), where there was only accommodation for three, and even these beds were almost wet and filthy;"

and, whether this statement is well-founded; and, if so, whether he will take steps to save unconvicted prisoners from such treatment in gaol in future?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Perhaps I may be permitted now to reply also to the Question of the hon. Member opposite (Mr. Harris). The charge was not under the Criminal Law and Procedure Act, but under the ordinary law. The District Inspector of Constabulary reports that, bail having been refused, it was necessary to lodge these prisoners in the Bridewell. Some were accommodated in three available cells, and the remainder in the day-room. The former had beds which were neither filthy nor wet; and the latter were given such spare rugs and blankets

as were at the keeper's disposal. The question of the accommodation for, and treatment of, untried prisoners generally throughout the country has been engaging the attention of Her Majesty's Government.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): May I ask, if the Government will offer any explanation of the tactics which they are now resorting to in Ireland, and of taking men out of their beds at the dead of night? Could not they make the arrests either before bed-time or after the people had risen?

MR. A. J. BALFOUR: I suppose the usual course is for the police to arrest persons when they can find them. The people appear to have escaped arrest before.

MR. SHEEHY (Galway, S.): What is the charge against these men?

MR. A. J. BALFOUR: The charge is not under the Criminal Law and Procedure (Ireland) Act, but under the ordinary law. I believe it is a prosecution for conspiracy.

INDIA—MR. J. T. FERNANDEZ, CIVIL ENGINEER.

MR. PICTON (Leicester) asked the Under Secretary of State for India, Whether his attention has been called to the Petition of Mr. James Thomas Fernandez, lately in the Indian Service as a civil engineer; whether the recital of facts in that Petition is generally accurate; and, whether it will be possible to re-consider the case of the Petitioner, with a view to affording him the restitution for which he asks?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): I am not sure to what Petition the hon. Member refers; but a Memorial from Mr. Fernandez was, in 1887, addressed to the Secretary of State in Council. The facts were not accurately represented in that Memorial. Mr. Fernandez resigned after 10 years' service in 1884, being at the time under suspension. In April, 1885, he was re-employed on a temporary engagement; but in November he was again suspended, and his services were dispensed with, he being granted a month's salary as an act of grace. The case has been fully considered by the Government of India and the Secretary of State, and the Secretary of State sees no reason for re-considering the decision arrived at.

POOR LAW (IRELAND)—DISMISSAL OF MR. P. LOUGHRY—TULLA UNION.

MR. COX (Clare, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that Mr. Patrick Loughry, Poor Rate Collector, Tulla Union, has been dismissed by sealed order of the Local Government Board; whether any communication passed between the Local Government Board and the Board of Guardians before the issue of the sealed order; and, whether he will state what was the nature of the offence charged against Mr. Loughry for which he was dismissed?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I reply to the first paragraph in the affirmative; to the second in the negative. As regards the last portion of the Question, the Local Government Board considered the man an unfit person to hold office under the Irish Poor Relief Acts, he having been sentenced to imprisonment in default of finding sureties for his good behaviour.

MR. COX: What is the offence he was summoned for, and for which he refused to find bail—will the right hon. Gentleman state that?

MR. A. J. BALFOUR: I cannot give the hon. Gentleman that information.

MR. COX: I beg to give Notice that I shall put a further Question on the subject.

THE PARKS (METROPOLIS) — HYDE PARK—BATHING IN THE SERPENTINE.

MR. BAUMANN (Camberwell, Peckham) asked the First Commissioner of Works, Whether he is aware that the south bank of the Serpentine is crowded with naked men and boys bathing at a time when Hyde Park is full of ladies; whether there is any regulation requiring the bathers to wear costumes; and, whether he will take steps to compel the observance of decency?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): Bathing is allowed in Hyde Park under the Regulations made in pursuance of the Park Regulations Act (1872), only from the south shore of the Serpentine, and

only at the following hours:—In the morning from 5 to 8, and in the evening, at this time of the year, from 7.30 to 8.30. Bathers may not undress or land anywhere except within the space set apart for that purpose, and must observe the directions of the Park-keepers. I do not think that it would be possible to enforce any Regulations requiring bathers to wear costumes, considering the thousands who bathe there—amounting to more than 250,000 annually. Of course, if any specified charges of indecency are made they will be attended to; but I have not received any such complaints.

ABYSSINIA—RUMOURED RUSSIAN AGGRESSION.

MR. HOWORTH (Salford, S.) asked the Under Secretary of State for Foreign Affairs, If the rumour, which appears in the papers, is true that a Russian officer has taken possession of the Port of Alifat, south of Tula, from which a road runs into Abyssinia?

THE UNDER SECRETARY of STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): We have no such information as is stated in my hon. Friend's Question.

ABYSSINIA (MR. PORTAL'S MISSION).

MR. HOWORTH (Salford, S.) asked the Under Secretary of State for Foreign Affairs, When the Papers referring to the recent Mission to Abyssinia, which were ordered to be printed on May 8 last, will be laid upon the Table of the House?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): It is hoped that these Papers will be ready in 10 days.

VENEZUELA—REDUCTION OF TRADE.

MR. WATT (Glasgow, Camlachie) asked the Under Secretary of State for Foreign Affairs, Whether it is a fact that exports from Trinidad to the United States of Venezuela show a reduction of over 50 per cent during April last, as compared with the same month in 1885?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron HENRY DE WORMS) (Liverpool, East Toxteth) (who replied) said: I am informed that the exports from Trinidad to Venezuela in April, 1885, amounted to £13,969; and in April, 1888, to £64,527. Deducting the exports of specie, the figures are £9,471 and £16,406 respectively; so that instead of a reduction of 50 per cent, as assumed in the hon. Member's Question, there has been an increase of nearly 500 per cent in the gross exports, and an increase of about 75 per cent in the exports excluding specie.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL — REPRESENTATION ON BOARD OF IMPROVEMENT COMMISSIONERS.

MR. BRUNNER (Cheshire, Northwich) asked the President of the Local Government Board, Whether the Local Government Bill will interfere with the right of appointing representation upon the Board of Improvement Commissioners now enjoyed by the University at Cambridge and by the Manchester Ship Canal Company at Runcorn?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): With regard to Cambridge, the Council of the borough are not at present the Urban Sanitary Authority; and it will be necessary that the case should be dealt with by a Provisional Order under Clause 55 of the Bill. It will depend upon the provisions of that Order, which will require the confirmation of Parliament, whether the University will be specially represented on the District Council. The Bill does not contemplate that in the case of Runcorn the Manchester Ship Canal Company should have the right of appointing members of the District Council.

DIPLOMATIC AND CONSULAR SERVICES —THE ENGLISH CONSUL AT AJACCIO, CORSICA.

DR. TANNER (Cork Co., Mid) asked the Under Secretary of State for Foreign Affairs, Whether the present English Consul at Ajaccio, Corsica, receives a yearly salary of £450, and £50 for office expenses; if it is true that his predecessor, Mr. Short, only received a salary of £120; when was the Deputy Vice Consulate at Bonefeccia done away with; what is the nature of the Consular business transacted in Corsica; what is the average annual amount received at Ajaccio in Consular fees; and, for what reason was the salary increased?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The salary and allowance of Her Majesty's Consul at Ajaccio are as stated in the first Question. Mr. Short, who was not the immediate predecessor of the present Consul, received a salary of £100, and office allowance of £50. The Deputy Vice Consulate at Bonefeccia was abolished on the 10th of May, 1886. The Consular business in Corsica is of the ordinary nature; there is nothing exceptional in it. The average for three years is about £7. The salary was increased on the death of Mr. Short's successor, by the advice of Lord Lyons, who strongly recommended the augmentation.

LAW AND JUSTICE (IRELAND)—CASE OF MR. HOGAN, AT SORRHA PETTY SESSIONS, CO. TIPPERARY.

MR. P. J. O'BRIEN (Tipperary, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the report of a case recently tried at Sorrha Petty Sessions, County Tipperary, where Mr. Michael Hogan, Honorary Secretary to the local branch of the League, was charged with being "drunk and disorderly" on May 10, at the prosecution of Police Sergeant M'Clintock, of Pike Station; whether, according to the report, the case was dismissed by the magistrates on the evidence of the witnesses called for the prosecution, two of them being police constables; whether one witness, Constable Foy, denied having seen the defendant where he was charged with being drunk and disorderly, but stated—

"That he saw him sitting on his own stile, no way misconducting himself;"

whether another witness, Thomas Kennedy, called for the prosecution, admitted—

"Having been brought into the police barrack and asked to swear against the prisoner,"

while he deposed to not having seen him at all on the night in question; and, whether, under these circumstances, he will cause inquiry to be made into the conduct of Sergeant M'Clintock in this case?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Local Constabulary Authorities report that the case referred to was dismissed on the technical ground that it was not proved that Hogan was disorderly on the public road. There could be no question as to the fact that he was drunk and disorderly in his own yard. The allegations in the third paragraph are denied. Thomas Kennedy made the statement in Court referred to; but the police doubt its accuracy, for it was Kennedy's mother who had reported at the barrack that Hogan was drunk, and had assaulted Kennedy. The sergeant having asked Kennedy if he would prosecute for the assault, he refused. The sergeant then summoned him as a witness.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—PROCLAMATION OF THE CITY OF DUBLIN.

MR. CLANCY (Dublin Co., N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will lay upon the Table of the House a copy of the Report presented to Mr. Justice Johnson on the 5th instant by the Constabulary Authorities regarding the state of the County of Dublin; whether that Report is of an exceptional character, or is substantially identical with all previous Reports regarding the County of Dublin presented to the Judges on similar occasions for the past 10 years; and, whether that Report is the sole ground on which such an outbreak of crime in Dublin County as would justify the enforcement there of the first section of the Criminal Law and Procedure (Ireland) Act is anticipated by the Government; and, if not, on what other ground is such an anticipation entertained?

MR. MURPHY (Dublin, St. Patrick's) also asked, Whether, when the right hon. Gentleman decided to proclaim the City of Dublin under the section of the Criminal Law and Procedure (Ireland) Act, he was aware of the condition of affairs reported to Mr. Justice Johnson, which that Judge described as satisfactory, adding that only 6 or 7 per cent of crime remained undetected; and, whether he will reconsider the question of applying the most stringent provision of the Act to that community?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I will answer both Questions at the same time. The answer I gave on Friday

was that there was nothing—and there is nothing—exceptional in the state of crime either in the City or in the County of Dublin; and it is not in consequence of the exceptional state of crime that the Government have proclaimed the City and County of Dublin under Section 1. I do not agree with the hon. Gentleman (Mr. Murphy) that this provision is the most stringent provision of this Act; because the opinion has been expressed over and over again that it should be applied to the whole country as part of the ordinary law.

MR. CLANCY: May I point out to the right hon. Gentleman that he has not answered a single one of the three paragraphs in my Questions? He has left them completely unanswered.

MR. A. J. BALFOUR: I thought the information I gave the hon. Gentleman would have satisfied him; but as it does not, I may say that I will not lay on the Table a copy of the Report presented to Mr. Justice Johnson on the 5th instant. That Report was not of an exceptional character, and that Report is not the

> "Sole ground on which such an outbreak of crime in Dublin County as would justify the enforcement there of the first section of the Criminal Law and Procedure (Ireland) Act is anticipated by the Government."

I have already stated, in answer to the Questions on Friday and to-day, that that is all the information I can give the House as to the grounds upon which the Government have acted.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): The right hon. Gentleman justified the application of Section 1 to the County Dublin not by the existing state of facts, but by some apprehension of what may happen. I wish to ask him whether the Report of the Constabulary Authorities to Mr. Justice Johnson affords any ground for anticipating an outbreak of crime; and, also, whether it is not the fact that the percentage of undetected crime in the City of Dublin is only 6 per cent, which is less than the average of any other town in the Kingdom; and, does that circumstance afford any ground for the apprehensions of the Government?

MR. A. J. BALFOUR: The right hon. Gentleman must have misunderstood the purport of my answer. I did not state that it was in consequence of an outbreak of crime which the Government anticipated that the Government had taken this step; and, as to the second Question, I would point out that it is not the amount of undetected crime that is the justification, or need be the justification, of using this section. The sole justification required by the Government is whether, in their opinion, the application of the section may not lead to the detection of crime which would otherwise remain undiscovered.

MORTMAIN—ISSUE OF LICENCES.

MR. WARMINGTON (Monmouth, W.) asked Mr. Attorney General, What is the number of the general, and what is the number of the special or conditional, licences in mortmain granted by the Crown since January 1, 1868; how many forfeitures have accrued to the Crown in the like period by reason of grants or conveyances in mortmain without licence; what steps have been taken to enforce observance of the conditions contained in the licences granted during the like period; and, during the like period, have any proceedings, and, if so, with what result, been taken on behalf of the Crown for breach of the conditions contained in any such licence?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): The time which has elapsed since this Question appeared on the Paper has not been sufficient to obtain all the particulars for which the hon. and learned Member has asked. But I believe that since the date referred to 37 licences have been granted by the Crown; and, in addition, a considerable number of Charters, containing clauses giving such licences. I have not yet been able to ascertain whether any proceedings have been taken since that date. There have not, as far as I know, been any forfeitures.

THE QUEEN'S PRINTERS AND OTHERS —THE BOOK OF COMMON PRAYER.

MR. WARDLE (Derbyshire, S.) asked Mr. Attorney General, Whether he is aware that the issue of incorrect versions by the Queen's Printers and other privileged presses enjoying a monopoly of the right of printing the Book of Common Prayer was complained of in 1868 by the Committee of the Convocation of Canterbury, has led to the appointment of a Committee by the

Convocation of York during the present year, and was alluded to in 1870 by the Royal Commission on Ritual in their Fourth Report; whether the terms of the Royal Letters Patent, granted to the privileged printers, provide for such irregularities being punished; and, if not, in what way can they be legally corrected; and, whether, in face of the fact that not one single correctly printed copy of the Statutory Prayer Book is now procurable (while the much bulkier "authorized" version of the Bible is printed with admirable fidelity), the Government are prepared to throw open the printing of the Prayer Book to public competition, or else to authorize Her Majesty's Attorney General to take proceedings to remedy the abuse alleged to exist?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I believe that it is a fact that in the versions of the Book of Common Prayer printed by the Queen's Printers and the other authorized presses certain minor variations from the Prayer Book annexed to the Act 13 & 14 *Charles* II., c. 4, exist. This fact was referred to, as the hon. Member states, in the Report of the Committee of the Convocation of Canterbury in 1868; but the variations in question were apparently not of sufficient importance to justify any action. On the contrary, I find in the Report the following words:—

"Most of the variations . . . . are, in fact, improvements in regard to accuracy and to sense; nor could greater care and fidelity be reasonably expected than have grown up in the present century. In all ordinary particulars the Prayer Book as now printed is what the compilers would have wished to make it if their task had fallen to them in the present day."

It is a curious fact that the Prayer Book annexed to the Act, and the various sealed books which are deposited in accordance with the Act in Cathedrals, at the Courts at Westminster, and the Tower, differ in several matters of detail. I believe that the Letters Patent do not contain any special provisions with regard to such irregularities. In my opinion, although the matter is not strictly for me, it is not desirable that the printing of the Prayer Book should be thrown open for public competition; but I am able to inform the hon. Member that the Queen's Printers and the authorized presses last month determined to print an exact copy of the Prayer Book annexed to the Act, the publication of which will be duly announced.

BUSINESS OF THE HOUSE—SMALL HOLDINGS BILL.

MR. J. CHAMBERLAIN (Birmingham, W.) asked the First Lord of the Treasury, Whether the Government are able to give any facilities for the completion of the discussion on the Small Holdings Bill, which was adjourned on Wednesday, May 10; and, if not, whether, in view of the general expression of opinion in favour of an increase in the number of cultivating owners of land, the Government will agree to the immediate appointment of a Select Committee to consider by what means, either in connection with Local Government or otherwise, this object can most effectually be accomplished; how far the practice of small ownership and cultivation has diminished in this country; and, whether there is any evidence to show whether such diminution is due to legislation?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): In answer to the right hon. Gentleman, I have to say that Her Majesty's Government regret that, having regard to the present state of Business in this House, they are unable to afford facilities for the further discussion of the Small Holdings Bill; but they will willingly co-operate in the appointment of a Select Committee to consider the question of small holdings, and especially the points to which the right hon. Member calls attention.

ROYAL COMMISSION ON CIVIL ESTABLISHMENTS.

MR. J. ROWLANDS (Finsbury, E.) asked the First Lord of the Treasury, Whether the Treasury have taken any steps towards generally carrying into effect the recommendation of the Royal Commission on Civil Establishments as regards the placing of the establishments on a seven-hour scale of service; and, whether any Department has recently applied for a large increase of staff; and, if so, whether the Treasury will place the Lower Division clerks in that Department on the seven-hour scale, and thus carry out their intention, as expressed in Parliamentary Paper No. 227 (1884)—namely,

"That this change it is the intention of my Lords to encourage wherever the increase of work justifies it,"

or an equivalent reduction can be made in the numbers employed?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The question as to the establishment of the seven hour scale of service in the Civil Establishments is one that has not been lost sight of by the Treasury, and considerable progress has been made in that direction, and will continue to be made when circumstances will permit. When any large increase of staff is applied for by a Department, the Treasury carefully bear in mind the seven-hour system of employment.

THE NAVAL AND MILITARY DEPARTMENTS — COMPOSITION OF THE ROYAL COMMISSION.

LORD CHARLES BERESFORD (Marylebone, E.) asked the First Lord of the Treasury, Whether, having regard to the dissatisfaction generally felt by the Services in the United Kingdom at the composition of the Royal Commission appointed to inquire into their administration, he will recommend the addition of one Admiral and one General to the Commission?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): It has not before been brought to the notice of the Government that the Services have expressed dissatisfaction with the names of Lieutenant General Brackenbury, Rear Admiral Sir F. W. Richards, Captain W. H. Hall, R.N., and Major G. S. Clarke, R.E., who are respectively Members and Secretaries of the Royal Commission. But the Government will consider the expediency of adding the names of another General and Admiral, and will communicate the fact to the House.

THE AUSTRALIAN COLONIES— CHINESE IMMIGRANTS.

MR. W. REDMOND (Fermanagh, N.) asked, Whether Her Majesty's Government would consider the advisability of carrying out as fully as possible the wishes of the Australian people in connection with the Chinese question; and, also, whether Her Majesty's Government would consider seriously the desirability of adopting the suggestion unanimously agreed to by the Conference of the Australian Colonies, to the effect that it would be advisable for the Imperial Government to enter into diplomatic negotiations with the Chinese Government, in order that a Treaty might be concluded between this country and China for a satisfactory settlement of the difficult question of the wholesale emigration of Chinese to the Australian Colonies?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The suggestions and recommendations made by the Australasian Conference with regard to the Chinese labour question are receiving the fullest and most careful attention of the Government.

LAW AND POLICE (METROPOLIS)— ARREST OF JOHN MARA.

In reply to Mr. CAINE (Barrow-in-Furness),

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.) said, that John Mara, who was charged before Mr. Newton at Marlborough Street Police Court with attempted pocket picking, was remanded twice, not three times. The evidence to which reference was made was forthcoming on Saturday last. The magistrate informed him that the prisoner was remanded, in the first instance, in order to ascertain if anything was known of him by the warders and detectives who visited the prison for the purpose—a course which was not unusual; in the second instance, because the magistrate at the close of that day's examination was informed for the first time that the evidence of two other detectives could be obtained whose examination was desired by the prisoner's solicitor. He was also informed by the magistrate that Story did not state that he was present in the Court on Monday, the 11th. He had been present, but had gone away, not knowing he would be wanted. Gregory did say that he was on special duty on the 4th; but he had not had time to ascertain what that special duty was. Detective Mott did not require 14 days to produce two witnesses. Inquiry was now being made into the treatment of Mara in Holloway. The Prison Rules

declared that criminal prisoners before trial might, if they desired it, wear the prison dress; and they should be required to do so if their own clothes were insufficient or unfit for use, or had to be preserved for the purposes of justice. But the dress was of a different kind from the dress of a convicted prisoner. It was not usual for prisoners under remand to sleep on plank beds without a mattress. He was informed by the magistrate that the extent of the charge was, for the first time, made known to him at the close of the prosecution on Saturday, and, therefore, bail was taken. Up till then he did not know whether the case might not turn out to be a felony.

MR. CAINE gave Notice that he would take the earliest possible opportunity of moving a Resolution respecting the conduct of business at Marlborough Street Police Court.

BUSINESS OF THE HOUSE.

DR. FARQUHARSON (Aberdeenshire, W.) asked, Whether the Votes would be taken in their order on Thursday?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle): My right hon. Friend has already stated that Vote 12 will be taken.

EAST INDIA (MR. WILLIAM TAYLER, OF PATNA).

Address for—

"Copies of a Minute by His Excellency the Governor General of India, dated the 5th day of February 1859;"

"Of a Letter from the Governor of India to the Governor of Bengal, dated the 4th day of March 1859;"

"Of a Letter from the Governor of Bengal to Mr. William Tayler, dated the 12th day of March 1859;"

"And, of a Letter from the Governor of Bengal to the Governor of India, dated 6th April 1859, with enclosure,"—(*Sir John Gorst.*)

SIR HENRY HAVELOCK-ALLAN (Durham, S.E.) asked the Under Secretary of State for India, Whether his attention has been drawn to three letters in *The Times* and one in *The Morning Post* of that day absolutely denying that Mr. William Tayler, ex-Commissioner of Patna, had been offered an inquiry into his conduct in 1859, and had declined that offer; and whether, as that statement materially affected the Division on that question prejudicially to Mr. Tayler's interests, he was prepared to lay on the Table of the House copies of the whole Correspondence *pro* and *con* on which he based that statement, including Mr. Samuells' letter containing offensive imputations against Mr. Tayler, which he subsequently entirely withdrew, and which withdrawal caused Mr. Tayler to say that he did not think it necessary to pursue the matter further; also, whether he would lay on the Table copies of Mr. Tayler's two letters of September, 1856, in which he not only invited, but urgently requested, a judicial investigation into his conduct?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham), in reply, said, that the statement he made on Friday was that Mr. Tayler was offered an inquiry into the correctness of Lord Canning's belief that in the course of Mr. Tayler's proceedings at Patna men were condemned and executed upon insufficient evidence. The Papers which the House had just ordered to be laid on the Table would amply justify that statement. The Papers which the hon. and gallant Baronet required were already before Parliament, with the exception of the letters of September, 1856, for which search would be made in the India Office.

PUBLIC BUSINESS—THE BANN, BARROW, AND SHANNON DRAINAGE BILLS.

MR. ARTHUR O'CONNOR (Donegal, E.) asked, in reference to the introduction of the Irish Drainage Bills, for some time on the Paper, Whether the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland was aware that at this moment one of the largest floods known for the last 20 years was covering the land near the river between Monasterevan and Athy; and, whether he was aware that all the small landholders would lose the whole of the potato crops, and that the other crops would be so injured by the water that they could not be used; and, whether he would take steps to bring in these Bills at an early date?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have already often expressed to the House my great desire to bring in these Bills at the earliest possible opportunity; but

I may remind the hon. Gentleman that no expedition on our part would have saved the tenants who are now suffering from the action of floods. If they were saved it would have had to be done by action taken three or four years ago.

MOTION.

—o—

DEATH OF THE GERMAN EMPEROR

MOTION FOR AN ADDRESS.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): Sir, I rise to propose a Motion in accordance with the duty and privilege of this House at all times to express its own sympathy and the sympathy of the people of the United Kingdom in all the joys and sorrows of the Sovereign who, as Queen of this Empire, reigns not alone over vast territories, but I am able to say with confidence in the hearts and affections of Her people. The occasion on which the House is invited now to express its sorrow and concern is one of peculiar and certainly of most tragic interest. It was scarcely a year ago that the Crown Prince of Germany received the cordial and hearty welcome of this country, as a son-in-law of the Queen, and the Heir to the Throne of a great and friendly Empire, when he came here to take part in the rejoicings of the people on the completion of 50 years of the reign of a just, a wise, and Constitutional Sovereign. It was then known to many that he was suffering from a painful and distressing malady, which occasioned the greatest concern to all who were acquainted with or suspected its character. But His Imperial Highness, notwithstanding his illness, took part in public ceremonials, and especially on the occasion of the great Procession and Thanksgiving Service on the 21st of June, in which this House joined, exhibiting the deepest interest and taking a prominent and active part in the manifestations of joy and thankfulness in which the nation indulged. Physical weakness and suffering were never permitted by him to interfere with the discharge of his public or private duties. Gradually the disease gained upon him, but it never deprived him of his resolve to go through his daily task, and to devote the powers that remained to him and his unimpaired intellect to the service of his country; and I venture to say that no more pathetic and touching spectacle of courage and fortitude has been witnessed by the world than that which he exhibited. As a Commander in the field he had displayed courage and capacity; he could face death with his men in battle, and he knew how to care for the wounded and the sick after the struggle, and to see that order was restored among the civil population. But these qualities are common as compared with the fortitude that enables a man, on whom a fatal disease has fastened, making slow but sure progress from day to day, cheerfully and uncomplainingly to endure long and grievous suffering, and to go about his daily work sustained in the discharge of his duty by the sense of devotion to his country. A few weeks ago Europe lamented the death of the great Ruler whose reign had been prolonged beyond the ordinary life of man, and whose people had become great and prosperous and united under his rule. Now we mourn the death of his son, who possessed qualities which we believe would, in no less a degree, have tended to secure the good government and prosperity of Germany and the peace of the world. It is fitting, Sir, that we should carry to the foot of the Throne the expression of a nation's sorrow at the loss which the Sovereign has sustained in her domestic relations at the premature death of one who, in every position which he filled, obtained admiration and affection; and we may venture to hope that the sympathy which we now offer to Her Majesty may be some consolation to those on whom bereavement has fallen so heavily. I have now to move an Address of Condolence to the Empress Victoria, and I shall do so in very few words, lest by any expression of mine I should jar on the sanctity of the grief of the widow. Thirty years ago, amid general rejoicing, the Princess Royal of England was married to Prince Frederick William of Prussia. It was a marriage which we knew at the time was founded upon affection, confidence, and esteem, and on a thorough knowledge of the character of her husband. It was not brought about by political considerations — although the people of this country rejoiced at a union between the reigning families of two great Kingdoms which had much in common, and whose

interests ought not at any time to be divergent—but we were assured that it proceeded from the purest impulse of natural affection, and the Princess Royal of England has had the happiness in her married life which was permitted to our widowed Queen in hers. The virtues and the results have been the same, and the people of England have watched with affection and pride the happy domestic life and the recent discharge of public duties, which have been imperious and exacting in their character, in the intervals permitted to the wife and the sick nurse. Sir, we desire to convey the expression of our deepest sympathy to the Empress in her sorrow —a sympathy which is extended to the people who are bereaved of a Sovereign whom they loved and trusted. I venture, Sir, to move the Address, which is—

"That an humble Address be presented to Her Majesty, to express the deep concern and sorrow of this House at the great loss which Her Majesty has sustained by the death of His Imperial Majesty Frederick William, German Emperor, King of Prussia, and to condole with Her Majesty on this melancholy occasion, and to pray Her Majesty that She will be graciously pleased to express to His Majesty, the present Emperor, the profound sympathy of this House with the Imperial and Royal Family, and with the Government and People of Germany. To assure Her Majesty that this House will ever feel the warmest interest in whatever concerns Her Majesty's domestic relations, and to declare the ardent wishes of this House for the happiness of Her Majesty and of Her Family. That the said Address be presented to Her Majesty by such Members of this House as are of Her Majesty's Privy Council. That this House doth condole with Her Imperial Majesty Victoria, German Empress, Queen of Prussia, Princess Royal of Great Britain and Ireland, on the great loss which she has sustained by the death of His Imperial Majesty. That a Message of Condolence be sent to Her Imperial Majesty, and that Mr. Speaker do communicate the said Message to Her Majesty's Ambassador at Berlin, with a request that he will attend the Empress Victoria for the purpose of conveying it to Her Imperial Majesty."

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Sir, I rise for the purpose of seconding the Address which has been moved by the right hon. Gentleman the First Lord of the Treasury in terms so just and appropriate. With regard to the Joint Address to which we are asked to give our assent, I observe it is proposed we should express to Her Majesty and to the German Empress our share in the sorrow at the loss they have sustained, and that we should likewise convey to the German Empress the expression of our sympathy with her in the trial, which is probably the greatest which can in any instance happen to a human being, and which in her case has been enhanced, and, I may say, illustrated, by a devotion, a courage, and a patience during the trial, fluctuations, suspense, and pain of 12 months—a devotion second only to that of her illustrious husband. I am sure that every man among us feels that on this occasion we are discharging very much more than a formal duty; and, in truth, if we did not entertain that sentiment, we should differ from the whole of Europe and the entire civilized world. With regard to the event which has just taken place, and the survivors of that event, in the whole course of the experience with which we have been made familiar from day to day, we have followed them with a pitying as well as an admiring sorrow. I greatly doubt whether there ever has been a case in which one so exalted in rank and station as was the Crown Prince of Germany, and subsequently the German Emperor, has had such claims—I will not say merely upon the admiration, but upon the sympathy and pity of the world. Sir, it is touching to reflect on the enhancements of that great trial—the circumstances under which it occurred, the peculiar slowness and subtlety of the disease, the extreme and extraordinary strength of constitution of the sufferer, and the great advance in the resources of medical science which enabled its most skilful Professors to procure for the illustrious Prince a considerable but ineffectual and unavailing prolongation of life—and that prolongation we fondly hoped might be the precursor of recovery, but was in truth an addition to his suffering. Our recollections of the Emperor Frederick reach back for a long period of years, for it was in the first period of his happy marriage that he made a deep impression upon the minds of the people of England, and they felt that their interest in him was a personal interest, not only because of his association with our beloved Sovereign, but also on account of the qualities which he displayed in early life—the high intelligence, the wonderful simplicity and gentleness of character, the kindliness which laid him open to the access of all men; and those qualities as time went on were destined to be followed up by fresh displays of the

highest qualities I have stated. When he came back to this country after the War of 1870, it was impossible not to be profoundly struck with the fact that, after he had shown that in skill and valour he was worthy to take his place among the heroes of the world, he still displayed in a peculiar degree all the modesty of his youth. It seemed as if all were conscious of these facts but himself. His character remained precisely the same in its unassuming gentleness, and in its total absence of pretension, as it had been before he had had an opportunity of manifesting to the world the claims he had so well entitled to make upon its admiration. Sir, there may be a disposition to regret that the Reign of the Emperor Frederick was too short for the display of the qualities of the Ruler; but there is another view which, I think, will change that regret into thankfulness. The circumstances attending his ascent to the Throne made him still more conspicuous to the eyes of the world, and, I have no doubt, caused a yet deeper impression of the invaluable qualities of his mind and character to be made both upon the German people and upon mankind at large. It may well be said of him that in the course of a short time on the Throne he fulfilled a long time, for there was not an expectation, however fond, that had been entertained before he became Emperor which was not fully realized by all who heard of his daily share in the labours of the State, and the wise and comprehensive manifestation of his views on the condition of Europe, which were at the very earliest date made known to the German nation and to the nations around him. Sir, we have to hope that so far as human sorrow can be alleviated either by the expression of sympathy, or by glorious recollections, or yet by more glorious hopes—all that consolation will be enjoyed by those who are now mourning over the death of the German Emperor. But one wish, I think, remains to us, and it is this—that the recollection of his great qualities, of his singular union of wisdom with virtue and valour, that his known attachment to the liberties of his country and his respect for its Constitution, which made him so secure a guardian of the privileges of the people no less than of the honour of the Throne, and that all the winning personal qualities which in him showed forth that most beautiful and appropriate of all associations, the extreme of gentleness with the highest manhood; and, again, that the holy fortitude to which the right hon. Gentleman has referred which he had displayed upon the bed of suffering, a fortitude greater in degree than that of many a soldier, and, perhaps, of many a martyr—these recollections constitute a great and noble inheritance to the German people; and we trust that that great nation, through long periods of strength, prosperity, and virtue, will cherish the recollection that the Emperor whom they have lost was among the most precious possessions that can accrue to the lot of any people upon earth.

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): I do not rise, Sir, for the purpose of adding anything to what has been said. I only rise to say that, notwithstanding any political differences which may unhappily exist among Gentlemen who sit upon this side of the House, I can assure the House, and I can assure my right hon. Friend the Member for Mid Lothian that I—and I think I may speak for every one of those with whom I am in the habit of acting—entirely and fully concur in every word which has fallen from my right hon. Friend; and, further, that we thank him for the eloquent expression he has given of the thoughts and sentiments which prevail in every part of this House on this sad occasion.

Resolved, Nemine Contradicente, That an humble Address be presented to Her Majesty, to express the deep concern and sorrow of this House at the great loss which Her Majesty has sustained by the death of His Imperial Majesty Frederick William, German Emperor King of Prussia, and to condole with Her Majesty on this melancholy occasion, and to pray Her Majesty that She will be graciously pleased to express to His Majesty, the present Emperor, the profound sympathy of this House with the Imperial and Royal Family, and with the Government, and people of Germany.

To assure Her Majesty that this House will ever feel the warmest interest in whatever concerns Her Majesty's domestic relations, and to declare the ardent wishes of this House for the happiness of Her Majesty and of Her Family.

Ordered, That the said Address be presented to Her Majesty by such Members of this House as are of Her Majesty's Privy Council.

Resolved, Nemine Contradicente, That this House doth condole with Her Imperial Majesty Victoria, German Empress, Queen of Prussia, Princess Royal of Great Britain and Ireland,

on the great loss which she has sustained by the death of His Imperial Majesty.

Ordered, That a Message of Condolence be sent to Her Imperial Majesty, and that Mr. Speaker do communicate the said Message to Her Majesty's Ambassador at Berlin, with a request that he will attend the Empress Victoria for the purpose of conveying it to Her Imperial Majesty.—(*Mr. William Henry Smith.*)

ORDERS OF THE DAY.

—o—

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.—[Bill 182.]

(*Mr. Ritchie, Mr. William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Secretary Matthews, Mr. Long.*)

COMMITTEE. [SEVENTH NIGHT.]

[*Progress 15th June.*]

Bill *considered* in Committee.

(In the Committee.)

PART I.

County Councils.

Powers of County Council.

Clause 3 (Transfer to county council of administrative business of quarter sessions).

Amendment proposed, in page 3, line 18, to leave out from the word "subject" to the end of paragraph (iv.)—(*Mr. Conybeare.*)

Question, "That the words 'subject as to the use of buildings by the quarter sessions and the justices' stand part of the Clause," put, and *agreed to.*

Mr. DUGDALE (Warwickshire, Nuneaton), in moving an Amendment, in line 19, after "justices," insert—

"To the right of the quarter sessions, and of any committee appointed by the quarter sessions, to use and occupy the shire halls, county halls, assize courts, and judges' lodgings as heretofore,"

said, he wished to explain that his object was to make it clear on the face of the Bill that any committee appointed by the Quarter Sessions should have the same right to use the Shire Halls, Assize Courts, and Judges' lodgings, as existed at the present time. Hon. Members were aware that committees appointed by the Quarter Sessions very often sat when the Court of Quarter Sessions was not sitting, and they were allowed the use of the Judges' lodgings whenever they required the accommodation. He asked his right hon. Friend the President of the Local Government Board (Mr. Ritchie) to accept the Amendment, for the purpose of making it clear that that right was not interfered with.

Amendment proposed,

In page 3, line 19, after the word "justices," to insert the words "to the right of the quarter sessions, and of any committee appointed by the quarter sessions, to use and occupy the shire halls, county halls, assize courts, and judges' lodgings as heretofore."—(*Mr. Dugdale.*)

Question proposed, "That those words be there inserted."

The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. Ritchie) (Tower Hamlets, St. George's) said, he must ask his hon. and learned Friend not to press the Amendment, because he thought it would be found, on looking at Sub-section (iv.), that everything desired by the Amendment was already secured. The sub-section transferred to the Council of each county—

"Shire halls, county halls, assize courts, judges' lodgings, lock-up houses, court houses, justices' rooms, police stations, and county buildings, works, and property, subject as to the use of buildings by the quarter sessions and the justices to the provisions of this Act respecting the joint committee of quarter sessions and the county councils."

In the event of any dispute arising upon this particular question, reference was to be made to the Home Secretary.

Mr. DUGDALE said, he was satisfied with the explanation of his right hon. Friend, and would not press the Amendment.

Amendment, by leave, *withdrawn.*

Mr. DUGDALE, in moving, in page 3, line 25, to leave out Sub-section (vi.) which transferred to the County Council—

"The hearing of appeals relating to the licensing of gang-masters and to the granting of certificates to pawnbrokers,"

said, that the hearing of appeals was a judicial matter, and ought not to be dealt with by the County Council.

Amendment proposed, to leave out paragraph (vi.)—(*Mr. Dugdale.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. RITCHIE said, he was, upon the whole, inclined to agree with the argument of his hon. and learned Friend

that the hearing of appeals was rather more in the nature of judicial than of administrative work, and that the powers at present exercised by the magistrates was that of hearing the evidence on oath. Under those circumstances, believing his hon. and learned Friend's contention to be right, and that it was really a judicial matter, he would accept the Amendment.

MR. CONYBEARE (Cornwall, Camborne) said, he did not think it at all satisfactory that this sub-section of the clause should be left out in this summary manner, nor did he think that the fact that the hearing of appeals might in some degree partake of a judicial character constituted any sufficient reason for relieving the County Council of this right. He was prepared to support any hon. Member on that side of the House in resisting the Amendment.

MR. FIRTH (Dundee) said, that appeals arose, to a large extent, out of questions of fact, and he did not think that they should lessen the power of a County Council. He, therefore, regretted very much that the Government had shown a disposition to give way on a matter of that kind.

MR. RITCHIE said, no doubt the hon. and learned Gentleman (Mr. Firth) was correct in stating that there were many questions of fact connected with the granting of licences; but he would also be aware that one of the reasons of withholding a licence was the personal character of the individual who applied for it, and that question could not be inquired into without the administration of an oath. The County Council had no authority to administer an oath, and, in his opinion, that rendered these appeals a judicial rather than an administrative matter.

MR. HENRY H. FOWLER (Wolverhampton, E.) said, that the Municipal Councils were at present entrusted with some licensing powers.

MR. DUGDALE said, that appeals against the refusal to grant licences had always been held to be a judicial matter, and were provided for both by the Pawnbrokers and Agricultural Acts. The ordinary procedure was taken in the Court of Quarter Sessions, recognizances were entered into by the persons appealing to be paid the cost of the appeal, and it was impossible to say that appeals of this character could be regarded as administrative business.

MR. STANSFELD (Halifax) said, he thought that no sufficient reason had been assigned by the President of the Local Government Board for his own change of opinion.

Question put.

The Committee *divided*:—Ayes 171; Noes 246: Majority 75.—(Div. List, No. 158.)

MR. BROADHURST (Nottingham, W.), in moving, in page 3, line 28, leave out the word "pauper" in Sub-section (vii.), said, the sub-section transferred to the County Councils—

"The provision, enlargement, maintenance, management, and visitation of, and other dealing with asylums for pauper lunatics."

He did not see that the Amendment would interfere in any respect with the meaning of the sub-section. That was not his object; but that was the first place in the Bill in which the word "pauper" occurred, and he thought it was proper to make a proposal to change the word "pauper" into some other word. The suggestion he would make was that they should omit the word "pauper" wherever it appeared in the Bill, and should insert some such words as "industrial pensioner." [*Laughter.*] He would state his reasons briefly for making the proposal. The term "pauper," which, no doubt, was a very correct one as introduced by its user, had become associated in the minds of the great mass of the people with parish relief in a manner that made its employment a very offensive term. They all knew that it was used in a manner to reflect discredit and, in many cases, shame upon the person who was under the necessity of asking for parish relief. His contention was, that a man who had pursued an honest and laborous life, and had worked for a wage, and found it impossible to make provision for old age, ought to be maintained by the country which he had enriched by his labour, without being, at the same time, associated with a most objectionable epithet. That was the object he had in view, and he was sure that hon. Gentlemen on the other side of the House would withdraw the laugh of derision with which they had greeted his original mention of the term "industrial pen-

sioner." He wished to mention a particular case which was brought home to his mind, and which occurred in a great agricultural district. Passing along the road one day, he came across a poor blind man seated on the road side. Entering into conversation with him, he learned that for 40 years the man had worked on a farm doing all the important duties attached to a farm labourer for a very low wage—indeed, so low that it rendered it impossible for the man to make provision against sickness, to say nothing of old age, or of injury such as he had met with. In the course of his labours he was the victim of an accident which disabled him for life, and this man, after 40 years' daily labour on the farm on which he had been employed as man and boy, was turned adrift, without one penny of compensation, or the slightest consideration, by the person by whom he had been employed, and sentenced to spend the remainder of his life, not only under the terrible affliction of the loss of eyesight, which no one could help, but with the additional pain and humiliation of having to live on 2*s.* a-week and a stone of flour, doled out to him with a grudging hand by the parish authorities, his wife having to walk miles in order to bring that allowance home to his little cottage. What he asked was that the offensive term "pauper" should not be applied to a case like that. There was no more honourable man in Great Britain, and none more worthy of respect and sympathy, than this aged farm labourer, and yet there he was, with his wife, living a hard and lonely life, stigmatized by the objectionable phrase of a "pauper," when he was well entitled to all that could be provided for him in a country which he had laboured to enrich. He mentioned that special case, not because it was singular in its incidents, but because it illustrated hundreds and thousands of other cases that had occurred, and would occur again. He maintained that all persons who laboured for a wage so low that it was quite impossible for them to make provision for their after-life should be maintained by the country without the slightest stigma attaching to them by the use of the offensive term "pauper" as it was commonly applied. He was sure that this was a matter which would receive the sympathy of every hon. Member of that House. Perhaps there might be some difficulty in changing the term "pauper" into that of "industrial pensioner." He was not prepared to deny the difficulty; on the contrary, he believed that it would be very great indeed; but as this was the first case in which the term occurred in this Bill, he thought that unless he made known his desire in this particular instance, if he attempted to move a new term later on, he might be ruled out of Order, because the use of the term would then have become part and parcel of the Bill. He saw one of the hon. Members for the City of Norwich present, and he might say that the case to which he had referred came under his notice within a very short distance of the hon. Gentleman's home, so that probably the hon. Member was acquainted with it as well as he was. He was therefore satisfied that the hon. Member, with his high character of great kindliness, would come to his assistance in the effort he was making to show some consideration for the deserving poor of the country. He was of opinion that under no circumstances and in no condition should labouring men have applied to them this offensive term in their old age, and he trusted that hon. Members on both sides of the House would come to his assistance and help him in substituting some other phrase or some other term for the offensive one which he proposed to omit. He had endeavoured to put in the fewest words possible his objection to this term, and all he desired was that the President of the Local Government Board should see his way to the insertion of some other term which would meet the case, and then, in the course of time, opportunities might be afforded for eliminating the word from other measures. That, however, could be provided for in the present clause, by stating that the term he suggested should be used in all other cases in which the term "pauper" occurred.

THE CHAIRMAN said, he had not understood the purport of the Amendment when the hon. Member rose to move it, but it was clearly a proposal outside the scope of the Bill. It would clearly not be in Order to strike out the

word in this sub-section, because the effect would be to transfer to the County Councils the management and visitation of all lunatic asylums.

MR. BROADHURST said, he wished to understand whether the Chairman ruled that he could not proceed further with the Amendment, but that any alteration must be effected by new legislation? If that were so, he begged to give Notice that, as soon as possible, he would bring in a Bill.

THE CHAIRMAN said, the same remark would apply to the next Amendment which appeared on the Paper in the name of the hon. Member for the Camborne Division of Cornwall (Mr. Conybeare), and which was as follows:—

"The purchase or otherwise freeing from tolls of any markets, the tolls, rents, or profits from which at present belong to private persons, and the making of bye-laws for the regulation and control of all markets thus purchased or acquired: Provided that, in the case of markets belonging to any borough or municipality, the corporation or town council of such borough or municipality shall have the power of making such bye-laws."

MR. CONYBEARE (Cornwall, Camborne) asked, on the point of Order, whether it would be possible for him to place the Amendment down for a subsequent clause?

THE CHAIRMAN said, it was quite in Order to put it down for a new clause, for, although he was not aware of the fact, it might be found to relate to some subsequent clause.

MR. PICKERSGILL (Bethnal Green, S.W.), in moving, in line 31, after "industrial schools," to add "and the visitation of prisons," explained that the object of the Amendment was to transfer the duties connected with the visitation of prisons from the Visiting Committee of Quarter Sessions to the new County Councils. At present the Quarter Sessions were empowered to appoint a Committee from their own Body to visit the prisons, and the object of the Amendment was to take away that power from the Quarter Sessions and to give it to the County Councils. Since the Prisons' Act of 1877, the powers of the Visiting Committee had been a mere shadow of those which they formerly enjoyed, and practically the powers of the Committee were limited now to reporting to the Home Office and making recommendations. The value of a Visiting Committee was that it threw a little light upon the internal arrangement of the prisons, and acquainted the outer world with what went on. He had no desire to increase the powers at present enjoyed by the Visiting Committee, nor was it any part of his case that the magistrates did improperly discharge their functions in that respect. He asked for this transfer for the same reason which formed the basis of the Bill—namely, that more confidence was likely to be reposed in elected representatives than in a Visiting Committee appointed by the magistrates. Perhaps he might be permitted to say that there seemed to be at the present moment a growing distrust and suspicion in regard to our prison discipline. The idea prevailed that the prison discipline was cruel and oppressive; that in many cases it had broken down the constitution of persons sent to prison for short terms of imprisonment for comparatively venial crimes; and that it had more or less indirectly produced fatal results. It was their desire that a popularly elected Body should have the power of inquiring into the management of their prisons, and reforming any abuses which might be proved to exist. He, therefore, begged to move the Amendment.

Amendment proposed, in page 3, line 31, after the word "schools," to add the words "and the visitation of prisons."—(*Mr. Pickersgill.*)

Question proposed, "That those words be there added."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS) (Birmingham, E.) said, the observations which had fallen from the hon. Member were deserving of consideration; but he would point out that they had no application to the present clause. The administration of prisons was entirely in the hands of the Prison Commission, governed by rules framed by successive Secretaries of State. It was not left either to Prison Committees or to the Governors of prisons. The question of prison discipline was one of great difficulty and anxiety. Possibly it might be a serious question whether the present system was not too severe, having regard to the health of the prisoners as well as their reformation. Perhaps the question was one that was eminently worthy of consideration, and

ought to be reviewed from time to time; but he would point out that, at present, they could absolutely do nothing. They had no control over the prison rules, or any functions in connection with the administration of prisons generally. The functions of the Prison Committee were mainly judicial. The clause merely affected the transfer of powers, and did not affect the law. If the hon. Member would look at Sections 12 and 14 of the Prisons Act of 1877 he would find that Parliament intended to limit the punishing power of the Governor over a refractory and insubordinate prisoner, and to leave the ultimate decision in such a case to the Visiting Justices. That was an important question, and would be much more properly left in the hands of the Justices, who were accustomed to deal with matters of punishment, rather than to leave it to the County Councils, who could not be so well fitted as a body of Justices chosen for the purpose. Even in a borough, as the hon. Member was aware, it was not the Town Council who appointed the Visiting Committee for the prisons, but the borough Justices.

MR. PICKERSGILL said, he was quite aware that the Justices had no control over the discipline; but he understood that it was part of their duty and practice to make reports and recommendations to the Home Office; and it seemed to him that the making of such reports and recommendations would be more properly in the hands of the representatives of the people than in those of mere nominees of the magistrates. The right hon. Gentleman the Home Secretary had pointed out a difficulty in regard to the duty imposed upon the Judges in their being empowered to inflict corporal punishment on refractory and insubordinate prisoners. He would suggest, therefore, by way of compromise, what he thought would meet the difficulty pointed out by the right hon. Gentleman the Home Secretary—namely, that they should follow the analogy contained in this very Bill in regard to pauper lunatic asylums in the 7th clause, by which the management of such asylums was in the first place vested in the County Councils, but by the 7th clause power was reserved to appoint a Visiting Committee. He thought there ought to be some reciprocity. If the arrangement to which he had referred in regard to pauper lunatic asylums were reasonable and satisfactory, it seemed to him that while the control of the prisons was vested in the Home Office, it was only reasonable to give to the County Councils a concurrent right of visitation with the Justices.

MR. RITCHIE said, he was afraid that it was not possible to accept the suggestion of the hon. Gentleman. His right hon. Friend the Home Secretary had pointed out very clearly that there were certain duties imposed upon the Justices with respect of the visitation of prisons, and that certain powers were placed in their hands which were of an important character. He understood the hon. Gentleman to suggest that these powers should not be obligatory, but permissive. The Government did not think that that would be satisfactorily carrying out the provisions of the existing law. As his right hon. Friend had pointed out, this Bill did not propose to alter the existing law, and therefore it was desirable to adhere to the clause as it stood.

MR. PICKERSGILL said, he did not think the right hon. Gentleman properly understood the suggestion he had made. The idea was to give to the County Councils a concurrent right of visitation with the Justices.

MR. RITCHIE said, that nobody could say that the existing law had not been properly and efficiently administered. He therefore could not accept the suggestion, and the Amendment was really beyond the scope of the clause.

MR. CONYBEARE said, that revelations were constantly taking place, not only in regard to Irish prisons, but to English prisons also. A great deal of monstrous brutality had been shown to exist in our present system, and as a matter of policy, if upon no other ground, the citizens of this country represented by the County Councils should know something as to the condition of the prisons and the methods of treatment adopted in them. He was not prepared to discuss now whether the Penal Code ought to be amended, or whether a change should be introduced into the whole system on which the treatment of our prisoners was based. We had embodied in the law the system of visitation by Justices, because it was considered a wholesome corrective against any evils which might possibly have

crept into the administration of our prison discipline. He was not asserting that the Justices of the Peace had failed in their duty, or that the County Councils should have a concurrent power of visitation on account of any dereliction of duty on the part of the Justices of the Peace; but he considered it desirable that the County Councils should have the power to appoint members of their Body to visit the prisons and see what took place in them. Presumably the burden of maintaining the prisons rested on the shoulders of the ratepayers, and through their popularly constituted representatives in the County Councils they ought to have some control over what went on, consistently with a fair view of humanity and justice. It did not seem to him to be any reason for refusing the Amendment, because it went beyond the particular proposal contained in the section. There were grounds of humanity on which this small concession to the public opinion of the country ought to be made. All he could say was that if the right hon. Gentleman the President of the Local Government Board and the right hon. Gentleman the Home Secretary did not believe the statements which were made as to the inhuman manner in which the prisoners were treated, they would have cause to change their opinion before very long. He regarded the Amendment as a very reasonable one, and trusted that the Committee would accept it.

MR. WHARTON (York, W.R., Ripon) said, the facts of the case did not bear out the statement which had just been made by the hon. Gentleman opposite. The Court of Quarter Sessions of which he was a member always gave the jury an opportunity of inspecting the prisons, and he had never heard of a single complaint.

MR. CONYBEARE said, the hon. and learned Gentleman had only to look at the newspapers in order to see the evidence on which he based his plan.

MR. HASTINGS (Worcestershire, E.) said, the argument was that the County Councils ought to be able to send special representatives to visit the prisoners, because the burden of maintaining the prisons fell upon the ratepayers. Now, it did not fall upon the ratepayers at all; for since the Prisons' Act was passed the expense of maintaining the prisons was provided by a Vote in that House. Therefore the ratepayers of the county had no ground for interference. It would be just as reasonable to propose that the County Councils should have power to send representatives to inspect the convict prisons, which were similarly supported by the Imperial Exchequer. He might also point out, as had been clearly stated by the right hon. Gentleman opposite, that the hon. Member for South-West Bethnal Green, who moved the Amendment, was entirely mistaken as to the functions of the Visiting Committee. The hon. Member said the functions were not in any way judicial. Now, as a matter of fact, they were altogether judicial. He had been Chairman of the Visiting Committee of the county of Worcestershire ever since the Prison Act passed, and he was bound to say that all the duties that Committee performed inside the prisons were entirely judicial. All complaints were judicially investigated, and, if necessary, witnesses were heard on oath. With very slight exceptions, all the powers exercised in the prisons respecting punishment were administered by the Visiting Committee, who only gave their judgment after having heard evidence on oath. So far from the ratepayers having anything to do with the matter, they had been relieved altogether from the burden of maintaining prisons since the passing of the Prisons Act.

MR. HENRY H. FOWLER said, that if he had any doubt whether he should support the Amendment that doubt had been removed by the speech which had just been delivered. He had some little doubt at first whether these words ought to be inserted, but now he had none. He wished to point out to the right hon. Gentleman the President of the Local Government Board and the right hon. Gentleman the Home Secretary that nobody asked to have the judicial duties of the magistrates transferred to the County Councils. The whole of the clause was governed by the first three or four lines, which said—

"There shall be transferred to the council of each county, on and after the appointed day, the administrative business of the justices of the county in quarter sessions or any committee appointed by the quarter sessions assembled, that is to say, all business done by the quarter sessions, in respect of the several matters following—namely,"

and so on. All the judicial business was reserved to the Visiting Justices, and

the administrative business was handed over to the County Councils. There was evidently a desire, however, to limit the transfer of administrative duties to the new County Councils as far as possible. It was the old story. They wanted to get rid of the County Councils by giving them nothing to do, and by making them subordinate to the Justices. He thought that the sooner they came to close quarters with that principle the better. The true principle of the Bill was that not on the ground of misconduct, or of incompetency, or of inefficiency, but on the ground of public policy, it was desirable to transfer to a popular Body, elected by the county, duties hitherto discharged by the magistrates. They must accept that position all through. Nobody objected to the Justices having power to inflict punishment on prisoners confined in the county prisons; but the duties of the Visiting Committee, which Lord Cross carefully considered when he transferred the jurisdiction from the Local Authorities to the Crown, ought to be placed in the hands of the County Councils. What were those duties? They were to visit the prisons frequently, to report on any matters that might require a report, to take cognizance of any matters of pressing necessity, and to enter any observations they might consider desirable as to the condition of the prisons and abuses in the visitors' book kept by the gaoler. He was not going into the question raised by his hon. Friend below the Gangway, as this was not a proper time to discuss our prison administration. His own opinion was that it was unnecessarily severe, and he believed that when Parliament had time to consider it, it would be inclined to reform the present system of administration. Certainly on the other side of the water there were tendencies to great severity in their prison life. Hitherto, Amendments had been opposed because they might possibly introduce a dangerous principle when they came to be applied to Ireland; but he advocated this Amendment because it would be advantageous when it came to be applied to Ireland. He thought it was most desirable that people elected by a popular Body should be able to enter the Irish prisons and ascertain what went on there. Without desiring to cast any reflection upon the English magistrates, who certainly discharged their duty very differently from the magistrates of Ireland, he thought it was desirable that the principle of popular representation should be applied to the inspection of prisons, so that they might secure the proper administration of justice, and prevent any unnecessary severity being inflicted in carrying out the law. Therefore, if his hon. Friend went to a Division he should support him, although it might be necessary to introduce some other words into the Amendment.

SIR WILLIAM HARCOURT (Derby) said, he should certainly feel bound to support the Amendment. He attached enormous importance to a visitation on the part of persons who might be taken to represent the public interest in the prisons. He had felt that very much himself when he was at the Home Office, and had done everything he could to strengthen the case of the Visiting Justices, as he believed they had invariably acknowledged; but there was no judicial function in these visitations of prisons any more than there was in the visitation of asylums. The magistrates had a great deal to do in committing persons to asylums as well as to prisons, and he could not see any reason why the visitation of prisons should not be left in the hands of a Committee of the County Council. It was highly desirable that the public should have the means of knowledge as to the administration of prison discipline, and that would be felt as a protection both to the Government and to the public. He had always thought it an enormous danger, when the prisons were originally transferred to the Government, that there might arise in the mind of the public a supposition of undue severity or injustice being exercised in the prison administration. He was sorry to see that there was a disposition on the part of the Committee to distrust the County Councils. All the attempts to eviscerate this clause and to diminish the power of the Council arose from a jealousy of the Council, and he was afraid that hon. Gentlemen opposite were going to take enormous pains to create a Body at a great expenditure which, after all, would have little or nothing to do. There seemed to be a disposition to take out one power after another. The licensing power had already been struck out. Sub-section 6 had just gone. He did

not know why or wherefore they could object to entrust so small a power to the Body they were creating. It appeared to him that when the Bill left the House it would be little more than an old turnpike trust. If hon. Members would take the pains to look at the Bill and see what the Council would have to do when it was created, they would find that it would have to look after the main roads and the county bridges; that it would be a Visiting Committee, as far as the asylums were concerned; and that it would have a certain power with reference to wild birds and contagious diseases in animals. Those were the whole of the functions of this great measure of local government which they were creating for England. They omitted everything relating to licensing, and they objected to entrust the Councils with the power of visiting the prisons. What, then, did they leave for the County Councils to do? He would like every hon. Member to look into the Bill, and see what these Councils would have to do when they were created. The duty of interposing between the public and the Government in regard to the administration of prison discipline was one of the most proper functions which could be conferred upon the County Councils, and if it were only upon the ground that the Amendment would give the County Councils something to do he would support it. Hon. Members ought to take care that they did not bring this great Body into contempt.

MR. MATTHEWS said, the right hon. Gentleman had made what he might call a second reading speech. It showed, however, that the right hon. Gentleman had very improperly read the Bill; that he had not read the Amendment at all; and that he had entirely forgotten the provisions of the Prisons Act, because he had added something to it which did not exist.

SIR WILLIAM HARCOURT said, he had been speaking of the last Amendment which the Government had struck out.

MR. MATTHEWS said, the right hon. Gentleman was certainly out of Order in discussing an Amendment which had been disposed of.

SIR WILLIAM HARCOURT said, that what he had said was that the Government had eviscerated the Bill by striking out a portion of the powers they were prepared originally to grant.

MR. MATTHEWS said, that this was a proposition to take away from the Visiting Justices functions which they performed under the Prisons Act, and to transfer them to the County Councils. The right hon. Gentleman said that those functions were not judicial; but he must have forgotten the provisions of the Prisons Act. Those functions are peculiarly judicial, seeing that they relate to the punishment of prisoners. The Prisons Act of 1855 empowered the Justices to take evidence upon oath, and determine concerning any report made to them that a prisoner had been guilty of any particular offence against prison discipline. Rule 59 provided that no prisoner was to be put in irons, or to be put into mechanical restraint unless the particulars were at once entered, and no prisoner was to be confined for more than 24 hours in a separate cell unless the time during which he was to be confined separately was specified by the magistrates. Moreover, the Visiting Committee of Justices were empowered to take cognizance of any matters of pressing necessity not within the power of their commission as Justices, and to perform such duties as they might be required to perform. The members of the County Council could not perform those functions, because they were not members of the Commission of the Peace. Under another provision of the Prisons Act of 1877, the Visiting Committee could not punish an offender except by an order of two Justices of the Peace, and after an inquiry upon oath. That was altogether a judicial function. There was no power whatever on the part of the members of County Councils to administer an oath. The power to administer an oath was given to the Justices simply because they held the Commission of the Peace. It might be that some powers of visiting the prisons could be usefully conferred on the County Council; but it must be entirely apart from the judicial functions which the Prisons Act empowered the Justices to perform.

MR. HENRY H. FOWLER said, that that was the main duty which the Visiting Committee would have to perform.

MR. MATTHEWS said, that he was aware that it was one duty, and that

words to that effect were inserted in the Act of 1877 as a sop to the magistrates when the principal part of their control was taken away.

SIR WILLIAM HARCOURT said, he should like to meet the right hon. Gentleman the Home Secretary if he was disposed to consider favourably the transfer of any part of the visiting powers to the Council, which, after all, composed nine-tenths of the work. He would be satisfied if the corrective powers were retained in the hands of the magistrates, and the general visiting functions were transferred to the County Councils. He should be very well satisfied with an arrangement of that kind, and on that footing he would assent to the retention of the corrective power of punishment in the hands of the magistrates.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) said, he wished to make an observation from the point of view of a practical man. When the prisoners were walking round and round the prison yard, and visitors appeared at the door, the prisoners were ordered to halt, so that any man who had a complaint to prefer might come forward. He believed that a prisoner, if he had legitimate cause of complaint—which sometimes might arise, even in an English prison—would be much more likely to come forward and report the views to a member of a popularly elected Council than to a Justice of the Peace, who was appointed from a class which, rightly or wrongly, he had been taught to consider in direct opposition to his own. Therefore, he hoped his hon. Friend would take the sense of the House by pressing the Amendment to a Division.

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he wished to say one word in answer to the statement which had just been made. He had been a visiting magistrate for many years, and he had invariably carried out this rule—that whenever he entered the cell with a brother magistrate to listen to the complaints of a prisoner no official should be allowed to be present. He believed that that was the usual practice that prevailed, and though the management of the gaols had been taken away from the magistrates, and vested in the Government, the visiting magistrates never neglected their duty of visiting, and inquiring carefully into any complaints the prisoners had to make.

MR. CUNNINGHAME GRAHAM said, he did not wish to impugn the statement of the hon. and gallant Baronet, but he thought that if inquiry were made into the matter it would be found that the course he had referred to was not invariably pursued.

VISCOUNT WOLMER (Hants, Petersfield) said, he desired to express his concurrence with the remarks which the right hon. Gentleman the Member for Derby (Sir William Harcourt) had made as to the great importance of transferring, wherever it could be done properly, the functions of the magistrates to the County Councils. He sincerely trusted that the Government, although unable to accept this particular Amendment, would consent to transfer to the County Councils the general visiting functions, while retaining the judicial functions in the hands of the Justices. He believed that such a provision would tend to increase the importance of the County Councils.

MR. JOHN MORLEY (Newcastle-upon-Tyne) said, he should like to draw the attention of the right hon. Gentleman the President of the Local Government Board to an extremely important precedent on this point—namely, the precedent of the Visiting Committee appointed under the Scotch Prisons Act of 1877. By that Act, which was modelled upon the English Act, the Visiting Committee need not be Justices. The section provided that a Visiting Committee should be appointed for every prison under the Act, and that it should consist of a certain number of persons being Commissioners of Supply and Justices of the Peace. Now, what were the Commissioners of Supply? They were exactly the same order of persons, and entrusted with very much the same functions, as the County Councils now proposed to be constituted.

MR. P. J. POWER (Waterford, E.) said, he maintained that it should be an important part of the new Body about to be created to administer the business of the county and visit the prisons, in order that they might, without the presence of the officials, ascertain what the treatment of the prisoners was. If it were necessary, he could point out various abuses of which he knew something personally. The administration

of the present system was simply delegated to nominees of the Government. He was anxious that the duties should be transferred to persons who were responsible to the people, and on those grounds he hoped his hon. Friend would press the Amendment.

MR. PICKERSGILL said, he simply rose to say that he cordially accepted the suggestion which had been made by his right hon. Friend the Member for Derby. If the right hon. Gentleman the President of the Local Government Board would give a distinct pledge that on a subsequent part of the Bill he would introduce words that would have the effect of transferring to the County Councils the visiting powers, properly so called, of the Justices, reserving to the Justices the judicial functions in regard to the infliction of punishment, he would be prepared to withdraw the Amendment. But if a distinct pledge of that kind was not given he was afraid that it would be necessary to carry the Amendment to a Division.

MR. RITCHIE said, that he could not give any such pledge to the hon. Gentleman. The precedent quoted by the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) was not exactly on all fours, because the power of a Visiting Committee in England were not the same as those in Scotland. So far as he could say, no judicial powers were exercised by Visiting Committees in Scotland at all. If the Government were to retain the judicial powers in the hands of the Justices and to transfer the other powers to the County Councils, the effect would be to set up two Visiting Committees, which the Government did not think at all desirable. He was afraid, therefore, that he could not give the undertaking asked for by the hon. Member for South-West Bethnal Green. The argument of the Government was that the powers conferred by Act of Parliament on the Justices were judicial, and they desired to retain in the hands of the Justices the judicial functions now exercised by them.

MR. STANSFELD said, they had been discussing a question on the larger issue, whether all the administration as to lunatic asylums and prisons should not be subjected to the visitation and supervision, not only of the county magistrates, but of the members of the County Council. He entertained a strong opinion upon that subject; and either on the present, or some other occasion, he hoped that some proposal would be made in regard to it which would be pressed to a Division. His own opinion was that there was no necessity to wait for another opportunity, but that this was the right occasion to raise the discussion if it were considered desirable. It was admitted that some of the functions of the Visiting Justices were not judicial, and might be performed by persons who were not Justices of the Peace; for instance, the 4th section of the Prisons Act required a report to be sent in as to the condition of the prisons, and also as to any repairs that might be necessary. Surely it was not necessary that a Visiting Committee should have the powers of Justices of the Peace in order to present a report in cases of that kind. He maintained that the Amendment of his hon. Friend was perfectly right in its present form. The right hon. Gentleman the President of the Local Government Board gave it as a reason why they ought not to accept the Amendment that it was not desired that they should have two Bodies possessing administrative functions; but the Committee had already provided that that was to be the case in regard to the lunatic asylums.

MR. RITCHIE said, it was not desirable to lay down that principle as a general proposition.

MR. STANSFELD said, he understood the right hon. Gentleman to lay down as a general proposition that the institutions in a county should not be visited by more than one Committee, but he now appeared to confine himself to the case of prisons. He and his hon. Friends on that side of the House were not satisfied that prisoners in a county should be visited simply by the Justices; and they demanded that they should be visited also by the representatives of the people—that not only the Justices, but the delegates of the people at large should be admitted within the precincts of the prisons. This Bill, in reference to lunatic asylums, transferred certain administrative functions from the Quarter Sessions to the County Councils; and in the 6th clause it reserved the right of the Quarter Sessions to appoint a Visit-

ing Committee also. He saw no reason why the same principles which prevailed as to asylums should not obtain with regard to prisons; and if his hon. Friend went to a Division he should have great satisfaction in voting with him.

MR. BRUNNER (Cheshire, Northwich) asked if the right hon. Gentleman the President of the Local Government Board meant to tell the Committee that there was no administrative business in connection with the prisons which would concern the County Councils? Surely, the matter of repairs referred to by the right hon. Gentleman the Member for Halifax formed part of the administrative business. He would appeal to the right hon. Gentleman the President of the Local Government Board, and to hon. Gentlemen on the other side of the House, to allow the Amendment to be passed, for this reason—that the present management of our prisons was very far from what it ought to be. He was convinced that many prisoners were at the present moment unwisely treated, and that they were teaching the people whom they put in prison to hate work. Most of those who are in prison went there because they did not like work, and the prison rules taught them to hate it.

MR. HANDEL COSSHAM (Bristol, E.) said, he was afraid that they were engaged in the erection of machinery which, after they had created it, would have very little work to do. Nearly all the improvements in prison discipline had come not from the prison magistrates, but had come from persons outside, such as the Howard Society. He cordially supported the Amendment.

MR. WARMINGTON (Monmouthshire, W.) said, no one could dispute that the Visiting Committee had double functions to discharge. What was desired was that the representatives of the people should perform those functions which were strictly called judicial, and that members of the Council elected by the people should be able to go and inspect the prisons, confer with the prisoners, and receive complaints and make a report and entries in the visiting book. That was all that was intended by the Amendment of his hon. Friend, and there was no desire that the judicial functions performed by the magistrates should be transferred by the County Councils.

Mr. Stansfeld

Question put.

The Committee *divided*:—Ayes 187; Noes 259: Majority 72.—(Div. List, No. 159.)

MR. BARING (London), in moving the following Amendment, in page 3, line 37, at end, to insert "except the clerk of the peace and every clerk to justices in petty sessions," said, the right hon. Gentleman the President of the Local Government Board had been kind enough to inform him that the question to which this Amendment related was settled by Clauses 82 and 83. He (Mr. Baring) had read those clauses with considerable care, and, as far as he was able to understand them, though he might possibly be wrong in his interpretation of them, they referred merely to the payment of the fees, whereas the present clause related to the fixing of the fees. If he was wrong in this view, he should, of course, have nothing to do but withdraw the Amendment; but he desired to hear what the right hon. Gentleman had to say upon the subject.

Amendment proposed, in page 3, line 37, at end, to insert the words "except the clerk of the peace and every clerk to justices in petty sessions."—(*Mr. Baring.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, that Clauses 82 and 83 appeared to go beyond his hon. Friend's proposal. The words of Clause 82 were—

> "For the purpose of the enactments relating to such salary and fees, the standing joint committee of the county council and the quarter sessions shall be substituted for the quarter sessions and the local authority respectively."

In reference to clerks of Petty Sessions, the 83rd clause provided that—

> "In the enactments relating to such salaries and fees the said standing joint committee shall be substituted for the quarter sessions and the local authority respectively."

He was advised that it was not necessary to insert his hon. Friend's Amendment, because its object was fully covered by these words. If, however, that turned out to be not the case, he would take care, on Report, to amend the clause.

SIR JOHN DORINGTON (Gloucester, Tewkesbury) said, the fees paid to Clerks of the Peace and Clerks of Petty

Sessions were judicial fees, and the Quarter Session Court was, by Statute, authorized and obliged to draw up scales of the amounts to be paid. The amounts of such fees ought to be left to the determination of the Court of Quarter Sessions.

MR. RITCHIE said, he hoped his hon. Friend would be content to accept the assurance that if Clauses 82 and 83 did not carry out that which was the hon. Gentleman's intention and his own, he would take care to put the matter right on Report.

MR. BARING asked leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. BRUNNER said, he wished to move the insertion of the words "chief constable" after the word "of," in line 39. He was very anxious to see good relations maintained between the people and those who had authority over them; and he, therefore, desired that the determination of the Chief Constable's salary should be placed in the hands of the County Councils.

MR. CHAPLIN (Lincolnshire, Sleaford): Mr. Chairman, I rise to Order. I wish to know, Sir, whether the question which the hon. Member is now raising was not settled by the Division taken on Friday upon the Amendment of the right hon. Gentleman the Member for Great Grimsby (Mr. Heneage)?

THE CHAIRMAN: The Amendment then moved embraced both the appointment of the Chief Constable and the control of the police. I think that, technically, this Amendment may be moved again; but I do not think the hon. Member is exercising a very wise discretion in proposing it.

MR. BRUNNER said, he thought the discretion to which the hon. Gentleman the Chairman referred was not altogether in his own hands. He was very desirous that the salaries of all the officials should be left to the determination of the Council, because he thought that in all Departments of the Public Service taxation and representation should go together. He was not going to speak at length on the subject, and had only a few more words to say about it. He wanted the right hon. Gentleman the President of the Local Government Board to consider whether he could not, by introducing a fresh provision somewhere in the Bill, encourage County Councils to appoint bankers as their treasurers. Bankers would undertake the work of treasurers without payment, and they would perform the duties appertaining to that office with efficiency, and in a very business-like manner. He might remind the right hon. Gentleman of what he knew well, that a very large number of Local Authorities now employed bankers as their treasurers.

THE CHAIRMAN: Order, order!

MR. BRUNNER said, he had nothing more to say about the Amendment, and he commended it to the Committee as one that they would do wisely to adopt.

Amendment proposed, in page 3, line 39, after the word "of," to insert the words "Chief Constable."—(*Mr. Brunner.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he only wished to say one word about the Amendment, as, after what the Chairman had said, he did not think it would be wise to continue the discussion. The Committee had undoubtedly considered the question in connection with the police already, and had taken a Division upon it. He thought that the argument in favour of rejecting this Amendment was much stronger now than it was before the Division was taken on Friday evening.

MR. CONYBEARE said, he wished to point out that the discussion on the Amendment of the right hon. Gentleman the Member for Great Grimsby (Mr. Heneage) respecting the police had not nearly concluded when the Division was taken on Friday evening. He would not venture upon forbidden ground; but he thought that everybody who was present during the last hour of the discussion on Friday would agree with him that it was through the excessive impatience of hon. Gentlemen opposite that the discussion was curtailed. Many of those who had wished to address the Committee on Friday felt that they were entitled to say something on the subject now. But, whether they did so or not, the mere fact that the Amendment of the right hon. Gentleman the Member for Great Grimsby was rejected on Friday could not be held to exclude all discussion on the question of the police.

An Amendment on the subject was to be moved on the 7th clause, and he hoped that it would not be ruled out of Order when reached. As to the present Amendment, he should like to emphasize what his hon. Friend the Member for Northwich (Mr. Brunner) had stated as to the importance of maintaining the principle that the elected representatives of the people on the Council Councils should have the control of the appointment and the fixing of the salary of the Chief Constable. It would not be denied that the office of Chief Constable was an exceedingly important one, and that that functionary had the chief control of the police, although the decision of certain questions respecting the regulation and efficiency of the police was assigned by the Bill to various authorities. The Joint Committee would have a great deal to say about the management and control of the police, but the Local Government Board or the Home Office, or some central authority, would also, to a large extent, look after the efficiency of the force. Those who sat on the Opposition side of the House felt very strongly that the control of the police, as far as the appointment, pay, and removal of the Chief Constable were concerned, should be in the hands not of a Joint Committee of irresponsible men, but of the elected representatives of the people on the County Council. On this point, he might allude to the difficulties that had arisen lately within a stone's throw of that House in connection with the treatment of the public by the police of the Metropolis. From what he had seen of the temper of the people, he thought that more mischief had been done by the action of the Government and the police in connection with meetings in Trafalgar Square than had been created during the whole time that had elapsed since the Hyde Park riots a good many years ago. Wherever one went in the Metropolis to-day, one found in existence a feeling of exasperation against the police. It was a very great pity that it was so, but this kind of feeling would always be aroused whenever, by the timidity of a mischievous official like the right hon. Gentleman the Home Secretary (Mr. Matthews), police were directed to trample upon the people. He had taken the trouble to go among the people with the object of ascertaining their feelings on the subject, and he could only say that there was such a feeling of exasperation as it was very dangerous ever to arouse among the populace against the constituted authorities. He would endeavour to illustrate the principle he was fighting for by referring to another case, drawn not from the Metropolis, but from the county with which he had the honour to be connected. He would not refer to the riots which occurred in 1885 in the St. Austell Division, as he preferred to leave the hon. Member for that Division (Mr. W. A. M'Arthur) to deal with them, if he chose to do so. He would, however, allude to the difficulties which occurred in the capital of the Division he represented, the Town of Camborne, some years back. At that time there was exactly the same maltreatment of the people by the police as had been witnessed in the Metropolis within the last few months. In Camborne the police did not, perhaps, ride down the people and massacre them——

Mr. W. BECKETT (Notts, Basetlaw): Mr. Chairman, I rise to Order. I beg to ask whether these remarks are in Order?

The CHAIRMAN: The hon. Member is, I believe, coming to the Question. I believe he is merely giving an illustration of his argument.

Mr. CONYBEARE said, he was sorry that the hon. Member opposite had not listened to him with sufficient attention to enable him to follow his argument. He had laid down the principle that the control of the police, as far as the appointment of the Chief Constable was concerned, should be in the hands of the elected members of the County Council, and he was giving, as his reason for advocating that principle, facts which many hon. Members might choose to deny, but which were within the knowledge of some of them at any rate. The first series of facts were those connected with Trafalgar Square, and the second series related to his own constituency. Surely a Member of that House had a right to speak about what had happened in his own constituency. On the occasion to which he was referring in Camborne, the police behaved with exceeding roughness, harshness, and brutality to the people. The consequence was that there were riots in Camborne, as there would always be in a place where the people

were treated with injustice, and where a feeling of indignation and exasperation was aroused. For his own part, he wished to see maintained the respect which the people of this country always held for the constituted authorities. That respect was being slowly sapped and undermined by the action of the present Government. It was to a great extent undermined by the action of the police at Camborne on the occasion to which he was referring. The police used to go about the streets and deliberately hustle the poor men with the view of raising a charge against them of being drunk and of putting them into the lock-up. This occurred repeatedly, and the result was that riots took place. The consequence was that the Chief Constable of the county, who was not a brave man, took to his heels, and, he believed, had never shown his face in Camborne since. He would give the Committee one more illustration, and he thought it a very pertinent and important one, of what was likely to happen in Devon under this Bill. The measure proposed to turn into separate counties all boroughs in which the population amounted to or exceeded 50,000. The result would be that Devonport and Plymouth would each become counties in themselves, whilst Stonehouse would still form part of the County of Devon. Devonport and Stonehouse formed one borough for Parliamentary purposes, but were divided for local purposes. In Stonehouse the police were under the control of the irresponsible magistracy of the county, whilst in Devonport they were under the management of the Municipal Authorities. The residents of Stonehouse and Devonport respectively said that there was all the difference in the world between the treatment of the people by the police in one place and their treatment in the other.

THE CHAIRMAN: The hon. Member has been allowed great latitude. He is not at all speaking to this special Amendment, which in itself is only technical.

MR. CONYBEARE said, he did not wish for a moment to transgress the Chairman's ruling, or to pursue the matter further. He might, perhaps, have some other opportunity of referring to the subject. He was only anxious to impress upon the Committee the importance of maintaining the principle that the police should be controlled by the representatives of the people. If the people controlled their Chief Constable, they could, at any rate, indirectly control their police. The Members of the Opposition were satisfied that they were doing their duty in taking their stand upon that principle. No doubt the Supporters of the Government would over-rule them if they went to a Division; but he thought that the people of the country would approve their action in having insisted upon giving to the people the control of the police.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, that, as he understood the Bill, the control of the police was to be vested jointly in the Justices and the County Councils, but that the Justices were to appoint and the Council was to pay the Chief Constable. This seemed to him to be a very inconvenient arrangement. In his opinion, if the County Council was to pay for the police officers, it was most reasonable that it should appoint them. The joint committee would have a very inefficient control over the police if the appointment of the Chief Constable rested solely with the Justices. He thought that the appointment of the Chief Constable should rest with the County Council alone, although he admitted that the Committee had already accepted what he regarded as the bad system of joint control.

MR. STANSFELD said, he was rather disposed to suggest to his hon. Friend the Member for Northwich (Mr. Brunner) that he should not insist upon carrying his Amendment to a Division. His reasons for saying so were these. Practically speaking, the Committee had decided not to transfer to the County Council the appointment of the Chief Constable; but the Committee had not decided anything with regard to his salary. Whatever reasons there might be in the minds of hon. Members in regard to leaving to the County Council the appointment of Chief Constable, those reasons did not necessarily apply to the payment of the salary, and it was inconsistent to leave the payment of the salary to the County Council and not to leave it the right of determining the duty which was connected with the payment of that salary. This being so, he intended to move the addition of these words to the sub-section—"and the de-

termination of the salary of the Chief Constable." This would, of course, raise the question of the right of the County Council to determine the salary.

MR. BRUNNER said, he did not clearly understand whether his right hon. Friend (Mr. Stansfeld) would move the addition of the words he had mentioned if he (Mr. Brunner) withdrew his Amendments?

MR. STANSFELD said, that he did propose to move the addition of those words.

MR. HENEAGE (Great Grimsby) said, that as he had proposed the Amendment on Friday, he wished to say that he thought his proposal had then been thoroughly threshed out. He did not see how they were to carry on the Business of that House unless they loyally accepted the decisions which, after full discussion, had been arrived at. Therefore, although he hoped that before many years were over the decision of Friday evening would be reversed, he could not support the Amendment now suggested.

MR. CUNNINGHAME GRAHAM said, he hoped the Committee, by refusing to accept this Amendment, would show the people of the country for a second time that they regarded them as either idiots or dangerous wild beasts, who were not fit to be trusted with the control of their own police.

MR. JOHN MORLEY said, he thought that possibly his right hon. Friend the Member for Great Grimsby (Mr. Heneage) had misunderstood the suggestion of his right hon. Friend the Member for Halifax (Mr. Stansfeld). In the Amendment moved on Friday there was no question of salary.

MR. HENEAGE said, that his Amendment included the words "the appointment," which naturally included "salary." [*Cries of* "Oh, oh!"] Well, that was how he understood his Amendment, which also provided for "the control and the dismissal." In moving the Amendment he had intended to give the County Council full control over the police and the Chief Constable. As the majority had been against him, he accepted the decision of the Committee in good faith.

MR. JOHN MORLEY said, his right hon. Friend was perfectly at liberty to accept the decision arrived at on Friday in any sense he pleased, but he must allow other Members to construe the word "appointment" in the sense in which it was ordinarily used. He thought the right hon. Gentleman the President of the Local Government Board would hardly contend that the word "appointment" included the fixing of the salary. The Lord Chancellor made many appointments in the course of the year, but he had nothing to do with the fixing of the salary that was attached to those appointments. He did not think the Committee could be justly accused of refusing to accept the decision come to on Friday evening if it adopted the intended proposal of his right hon. Friend the Member for Halifax.

MR. RITCHIE said, that what he understood the right hon. Gentleman the Member for Halifax to suggest was, that the Committee, having negatived the proposal to place the appointment of the Chief Constable in the hands of the County Council, should now accept an Amendment which would put the question of the salary of the Chief Constable in the hands of the County Council. Surely this would be absurd. Under Clause 29 of the Bill matters connected with the salary and the payment of the police force would be placed in the hands of the joint committee; and, looking at the fact that the Committee had practically determined that the control and administration of the police should be in the hands of the joint committee, the Government considered that all questions affecting the pay of the police should also be left to the decision of the joint committee.

MR. HENRY H. FOWLER said, that the Committee had not yet come to the decision which the right hon. Gentleman (Mr. Ritchie) said they had arrived at. When the right Gentleman the Member for Great Grimsby (Mr. Heneage) said that the "appointment" included the "salary," he must have forgotten what was the case with reference to boroughs. In the boroughs, whilst the appointment and control of the Chief Constable rested with the Watch Committee, the pay of the Chief Constable rested with the Council. The question of the pay of the Chief Constable was one of great importance, and the Committee could not, he thought, in any way more emphatically show its distrust of the new Councils than by depriving them of the power of the

purse. As to the question of whether the pay of the Chief Constable could be regarded as distinct from the decision arrived at on Friday, he might at once tell the Government that when the clause dealing with the appointment of the joint committee came up for consideration, he should certainly, if no one else did, take the sense of the Committee on the question of whether the joint committee should or should not have full control of the Chief Constable as of all other constables. He hoped his hon. Friend the Member for Northwich (Mr. Brunner) would withdraw his Amendment, as it was really in conflict with the decision arrived at by the Committee on Friday. The proposed Amendment of his right hon. Friend the Member for Halifax (Mr. Stansfeld) would then, in due time, raise the question whether the amount of the salary should not be fixed by the Body which raised the rates.

MR. CHAPLIN said, he wished to ask for the Chairman's ruling on another point of Order. Supposing that the Amendment were not withdrawn, and were agreed to by the Committee, the determination of the salary of the Chief Constable would be transferred to the new Council. That was precisely the proposal that was negatived on Friday, and he wished to know what would be the position of the question under the Bill? Would the appointment of Chief Constable remain as at present intended, or would it also be transferred to the new Council?

THE CHAIRMAN said, that if the Amendment were carried the determination of the salary of the Chief Constable would undoubtedly be vested in the new Council. The decision of Friday last negatived that proposal, not by itself, but by associating it with the proposal that the control of the police should be placed in the hands of the Council. The Amendment was not entirely inconsistent with the decision not to allow the appointment of the Chief Constable to be under the control of the County Council.

MR. BRUNNER asked leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. BRUNNER said, it was provided in the Bill that the Clerk of the Peace should be the Clerk of the County Council, and that seemed to him a terrible infringement of that very good rule, that taxation and representation should go together. Surely the appointment and removal of the Clerk of the Peace, if he was to be the servant of the County Council, should be in the hands of the County Council. With regard to Clerks of Justices, he did not know that he had very much to say; but he felt very strongly upon the appointment, removal, and determination of the salary of the Clerk of the Peace; he was an officer in whom he took a great deal of interest just now.

Amendment proposed, in page 4, line 2, to leave out from "other than the clerk of the peace and the clerk of the justices."—(*Mr. Brunner.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. RITCHIE said, the Clerk of the Peace would be the joint officer of the County Council and Quarter Sessions, and it was desirable, indeed he thought necessary, that his appointment should rest with the Committee composed of half from the Justices and half from the County Council, and which was provided for in Clause 83. So long as the Clerk of the Justices remained the servant of the Justices his appointment remained with the Justices, but so far as his salary was concerned it would be determined by the joint committee. Surely the hon. Member would not advocate that the joint officer should not be under the control of the joint committee?

MR. BRUNNER said, he merely wished that the question of salary should be determined by the representatives of the people who paid the money.

MR. CONYBEARE said, it was quite true that the proposal in the Bill was that the Clerk of the Peace should be the joint officer of the irresponsible body of magistrates and of the County Council, and he held it to be a most mischievous proposal. The Clerk of the County Council should be under the control of the Council, just as the Town Clerk was the servant of a Town Council. He altogether objected to this joint officer. The officer would probably have more than enough to do with his joint duty than he could do well, and his work would be done badly for both his masters. He (Mr. Conybeare) was animated by a desire that these new Councils

should have full authority in matters entrusted to them; but the Government were too ready to listen to any suggestion from their Supporters in the direction of emasculating the Bill and making the authority of the Council more shadowy. In every possible way hon. Members showed their distrust of the new Authority, and every attempt to take away the functions and duties of the Council, every limitation of a right the Council might naturally aspire to, would tend to make it impotent and worthless, and a Body that would certainly not attract those men of honour, virtue, and probity, of whom so much had been said. The ratepayers felt strongly that they ought to have control over the salaries of the officers they paid. It was all very well to say this officer would be the Clerk of Quarter Sessions, but he would be paid from the rates, and it was for the ratepayers, through their representatives, to say what he should be paid, not an irresponsible body of magistrates. Beyond that, the Council ought to have full control over their officer. He would have to be constantly in attendance, and would probably take the minutes of proceedings. How would the House of Commons treat a suggestion that the House of Lords should have any control over the payment of the House of Commons clerks?

Question put.

The Committee *divided*:—Ayes 191; Noes 130; Majority 61.—(Div. List, No. 160.)

MR. STANSFELD said, he had now to move an Amendment at the end in reference to the salary of the Chief Constable. He would not labour the point, but simply say the position he took up was that all the salaries payable out of the County rates should be determined by the County Council.

Amendment proposed in page 4, line 2, after the word "justices," to insert the words "and the determination of the salary of the Chief Constable."—(*Mr. Stansfeld.*)

Question proposed, "That those words be there inserted."

MR. CONYBEARE, in reference to what had been said, that appointment and removal necessarily included the determination of salary, said it would be in the recollection of the Committee that the Government last year made an appointment to a particular office without determining any salary at all. The late Colonel King-Harman was appointed without any salary, and there was a precedent then for considering separately from the question of appointment, the question of determining salary.

MR. JAMES STUART (Shoreditch, Hoxton) said, he understood the argument against this proposal to be that those who had appointment and control should have the fixing of the salary. But if that were allowed, it would be the Justices not the joint committee who would fix the salary of the Chief Constable? But he asked, how was it proposed to fix the salary? The argument for the Amendment was simply that those who raised the rates should have the spending of them. That was the whole point and merit of the Bill, that it put the raising and spending of the rates in representative hands. Apart altogether from the vexed question of the control of the police, this question of determining salary should be placed in the hands of the elective Council.

MR. RITCHIE said, it might or might not be right to give to Quarter Sessions the appointment of Chief Constable, that was a matter not now under discussion; but it was the proposal of the Government in the Bill, and the proposition of the right hon. Gentleman meant that the Body that was to have the appointment of the Chief Constable was to have no voice in the fixing of that officer's remuneration. That was a doctrine the Government did not assent to. If it was right that the appointment should rest with Quarter Sessions, as it did, it was evident that to adopt the Amendment might lead to a conflict between Quarter Sessions and the County Council, and which might result in the Council making such arrangements as would entirely defeat the object of the Bill in leaving the appointment of Chief Constable with the Quarter Sessions. He was not contending now that the appointment should remain with Quarter Sessions; that would be decided presently. All he said was that was the arrangement in the Bill, and he could not consent to taking from the Body

having the appointment all voice in fixing the salary.

MR. STANSFELD said, the right hon. Gentleman seemed altogether oblivious of a fact that should be familiar to his Parliamentary and official experience. The House of Commons did not appoint civil servants or officers in the Army and Navy, yet the House of Commons determined what pay they should receive. He urged that in these financial matters, the County Council should be supreme. The representative body ought to have the right of determining the salaries to be paid from the county rates, and on that he should divide.

MR. HALLEY STEWART (Lincolnshire, Spalding) said, he might remind the right hon. Gentleman (Mr. Ritchie) that all the occupants of the Government Bench received such remuneration as it pleased the House to vote, but only two official appointments were vested in the House—that of the Speaker and Deputy Speaker; all the other appointments were not in the hands of the House, though the House fixed the salaries. There could not be a more pertinent example opposed to the contention of the President of the Local Government Board.

MR. HANDEL COSSHAM said, that was an argument that cut away the ground from the right hon. Gentleman's position. The representatives of those who raised the rates should have control of expenditure, and that was the principle that in the end must be recognized.

Question put.

The Committee *divided*:—Ayes 120; Noes 161: Majority 41.—(Div. List, No. 161.)

MR. HOBHOUSE (Somerset, E.) said, the clause as it now stood provided that among the powers of the County Councils there should be the determination of the coroner's salary, and the division of the county into coroners' districts. His Amendment provided that the County Council should also have "the assignment of such districts."

Amendment proposed, in page 4, line 6, after the word "district," insert the words "and the assignment of such districts."—(*Mr. Hobhouse.*)

Question, "That those words be there inserted," put, and *agreed to.*

Amendment proposed, in page 4, line 9, after the word "election," insert the words "the place of holding courts for the revision of the lists of voters."—(*Mr. Ritchie.*)

Question, "That those words be there inserted," put, and *agreed to.*

MR. BRUNNER proposed to insert, after the words just inserted, the words, "Provided that no selected Councillors shall have a vote in respect of such matters." He desired that the County Council should be, like Cæsar's wife, above suspicion. There was, unfortunately, a feeling widely prevalent that men who did not owe their position to free election by their fellows, were not so fully to be trusted in such matters as the County Councils would have to deal with, as they ought to be. Personally, he did not suppose for a moment that the selected Councillors would do anything to secure a Party triumph. He had never found amongst the Justices of Cheshire an inclination to snatch a Party advantage in the settlement of affairs; but it was simply because he desired there should be no possible suspicion that a Party advantage was attempted, that he proposed that the selected Councillors should not have a vote in respect of such matters.

Amendment proposed, after the words last inserted, to insert the words "provided that no selected Councillors shall have a vote in respect of such matters."—(*Mr. Brunner.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, the Government could not accept the Amendment, as it was quite impossible to put the Aldermen in an inferior position to any other members of the Council.

MR. CONYBEARE said, the right hon. Gentleman forgot that the First Lord of the Treasury had given a sort of undertaking that the question of Aldermen would be re-considered.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) begged that the hon. Gentleman would not misrepresent him. He distinctly stated, in reply to a question put to him, that they saw no reason to re-consider the question.

MR. HANDEL COSSHAM said, there was one argument which might be used

with advantage. The House of Lords stood in a similar position to the House of Commons as the selected Councillors would stand to the elected Councillors. The House of Lords were not allowed any control over the money of the State. He thought the same principle might with advantage be followed in the case of selected and elected Councillors.

Question put, and *negatived.*

MR. C. HALL (Cambridge, Chesterton) said, the object of the Amendment which stood in his name was simply to enable the County Council to take advantage of the Local Stamp Act, if they should think fit. By that Act the Justices had the power to receive the fees for contentious and non-contentious business under the Local Stamp Act if they thought fit, and a great many Justices had taken advantage of that Act, and now did their work entirely by means of stamps. If this Amendment were carried, it would be open to the County Council to adopt the Act, and so be able to carry on their business in the same way as the Justices had done.

Amendment proposed, in page 4, line 14, after the word "meters," to insert the words "and of the Local Stamp Act."—(*Mr. C. Hall.*)

Question, "That those words be there inserted," put, and *agreed to.*

MR. FIRTH said, he would like to know whether this sub-section was intended to apply to London, and whether it was proposed to consider all the propositions affecting London separately.

MR. RITCHIE said, that all these clauses applied to County Councils set up, and in that case applied to London. But it was quite open for them when they came to London, to consider the peculiar circumstances of London, and make special provisions.

MR. BRUNNER proposed an Amendment, to leave out the words from "the confirmation" in line 23, to "and ten" in line 26. It seemed to him that the County Council was entirely unfitted to deal with the rules of loan societies. Loan societies were by no means confined to counties. He knew loan societies whose action extended over the whole country, and, therefore, he hoped that the words he proposed to omit would not be allowed to remain in the Bill.

Amendment proposed, in page 4, line 23, to leave out the words from "the confirmation" to the words "and ten" in line 26, inclusive.—(*Mr. Brunner.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

MR. RITCHIE said, he did not see any reason why these duties should be withdrawn from the County Council, who he thought would be quite able to undertake them.

MR. BRUNNER asked, to whom was the confirmation of loan societies' rules to be left. Loan societies had offices in many counties, and how was it to be decided which County Council should confirm the rules? He thought the matter had better be left as it was, or that the right hon. Gentleman should consider whether he had better not take it out of the hands of the Quarter Sessions and keep it in his own hands.

MR. RITCHIE said, that that was a separate matter. This seemed to him one of those administrative matters which ought to be transferred to the County Council.

Question put, and *agreed to.*

MR. FIRTH said, that they had now reached Sub-section XVI., would the right hon. Gentleman tell them what the sub-section referred to?

MR. RITCHIE said, that until they progressed with the Bill and absolutely resolved what business should be transferred, it was impossible to say what the sub-section referred to.

MR. CONYBEARE said, that they were asked, in fact, to give the Government a blank cheque. He understood that his Amendment, which came next, the Chairman had ruled out of Order. He presumed that most of the Amendments which stood in his name, followed the ruling on Amendment No. 15, earlier in the evening; but what he wished to ask, as a matter of Order, was whether it was possible to move a distinct addition to the clause, to the effect that powers other than those enumerated in the clause should be vested in the County Council. As a matter of fact, there was no Sub-section (2). What he proposed was that there should be a Sub-section (2). His Amendment was that "the County Council shall also have powers to deal with the following matters,

namely," and then followed a list of duties. He submitted that the Amendment could scarcely be ruled out of Order on the ground that the powers enumerated were new powers, that not being powers belonging to the Quarter Sessions they could not be transferred. That might not be the proper place to insert the Amendment; but he submitted that the Amendment was really a substantial Amendment, by which it was proposed to extend the clause by the addition of a fresh sub-section containing further new powers which he desired to see added to the powers of the County Council.

THE CHAIRMAN said, he had not in the least limited the power to endow the Council with powers. What he had said was that this Amendment could not be moved upon this clause, as this clause dealt only with the transference of powers.

MR. CONYBEARE said, he did not want to argue the case. He wished it to be perfectly clear that as he read the clause the 1st sub-section referred to the transference of powers, and he desired to add a sub-section giving the County Council additional powers.

MR. FIRTH asked, if it would not be possible to add at the end of the clause words providing that there should also be given to the County Council certain powers enumerated?

THE CHAIRMAN: No; it would be quite inconsistent with the practice.

MR. CONYBEARE: I will move the Amendment later on.

Amendment proposed,

In page 4, at end to add the following sub-section:—(xvii.) "There shall also be transferred to the county council all powers now vested in the court of quarter sessions, or any committee of justices, to acquire or provide shire halls, county halls, lunatic asylums, judges' lodgings, assize courts, lock up houses, court houses, justices' rooms, police stations, or other county buildings or works.—(*Baron Dimsdale.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he could assure his hon. Friend that what he desired was fully provided for by Sub-sections 4 and 7 of this clause. The hon. Gentleman was afraid that the powers transferred would not enable the County Council to erect the various buildings which he specified in his Amendment. There could be no question about the fact that the Quarter Sessions had power at present to erect buildings, and it was perfectly clear that the powers of the Quarter Sessions with reference to buildings would be transferred by the clause to the County Council.

BARON DIMSDALE said, that all he wanted to do was to make it clear that the County Council would have the power to provide the buildings required.

MR. HENRY H. FOWLER said, he dissented from the interpretation the right hon. Gentleman (Mr. Ritchie) had put on this clause. At the commencement of the discussion on the clause, he called the right hon. Gentleman's attention to the slipshod manner in which the clause was drawn, and further consideration of the clause confirmed him in his opinion. With all respect to the President of the Local Government Board, he ventured to say there was a question as to whether the powers of Quarter Sessions in respect to shire halls and so forth were transferred to the County Councils. Surely it would be better to put the matter beyond all doubt. The right hon. Gentleman said he meant the County Council to have these powers. There was a doubt in the matter, then why reject this Amendment?

MR. RITCHIE said, the right hon. Gentleman drew his attention to the language of the clause a few days ago, and he undertook that, before Report, the language of which he complained should be reconsidered. He agreed that, if necessary, an Amendment should be placed on the Paper dealing with the matter. It seemed to him that having, in the sub-section, dealt with all the questions of buildings, it would be inconvenient to put in another sub-section dealing with similar matters. It was in the first words of the clause that an Amendment was required, if it was required at all, and he had undertaken that the matter should be considered.

Amendment, by leave, *withdrawn.*

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. STANSFELD said, that a short time ago the First Lord of the Treasury made a statement with reference to the appointment of Aldermen and the period for which Councillors should be elected.

[*Seventh Night.*]

He (Mr. Stansfeld) was not in the House at the time the right hon. Gentleman made that statement. The right hon. Gentleman the Member for Wolverhampton (Mr. Henry H. Fowler) was present; but he was not sure he had a correct impression of the right hon. Gentleman's (Mr. W. H. Smith's) undertaking.

MR. W. H. SMITH said, that what he had undertaken with regard to a former clause was, to consider whether the length of the tenure of office of the members of the County Council should be three years or six years, one-third of the number retiring, in the latter case, every two years. He had not, however, undertaken to re-consider the question of the appointment of Aldermen.

MR. HENRY H. FOWLER thought there was some slight misapprehension. If he recollected aright, he (Mr. Henry H. Fowler) got up and said it was a part of his proposal that the question of the Aldermen should be reconsidered. The Committee had already decided that there should be Aldermen. Then they negatived the election for six years, and decided that the elections should be triennial. Thereupon, he suggested that they might get rid of the Aldermen, and make the election of Councillors extend over a longer period. He was sure the right hon. Gentleman would not misrepresent any understanding he had ever given. He understood the right hon. Gentleman would reconsider the whole question.

MR. W. H. SMITH said, he had not the slightest fault to find with the right hon. Gentleman; but he thought it would be in the right hon. Gentleman's recollection that he (Mr. W. H. Smith) distinctly stated that he could not undertake to enter into any engagement to reconsider the question of the appointment of Aldermen.

MR. HENRY H. FOWLER said, he did not understand the right hon. Gentleman to enter into any undertaking. It was entirely a matter for reconsideration.

MR. DIXON (Birmingham, Edgbaston) said, he was in the House at the time, and he entirely agreed with the interpretation which had been placed by the First Lord of the Treasury upon the undertaking he had given, and that it did not apply to Aldermen.

MR. BRUNNER said, he desired again to appeal to the right hon. Gentleman the President of the Local Government Board, whether he would not, in some part of the Bill, insert words which would be an encouragement to County Councils to appoint bankers as their treasurers. Bankers did their work as treasurers of Local Authorities extremely well, and they did it without salary. It seemed to him that there were excellent reasons for offering encouragement to County Councils to appoint bankers as their treasurers. The County Treasurer of Cheshire received £400 a-year. To his (Mr. Brunner's) mind, the work would be done very much better by a bank, and without any payment at all. He trusted the right hon. Gentleman would give him some assurance he would consider the matter in a favourable spirit; otherwise he would feel bound to frame some words to carry out what he wished.

MR. RITCHIE said, he could assure the hon. Gentleman the Government would give full consideration to any Amendment he might prepare, but the matter he had now raised was not at all germane to the present clause. Personally, he felt reluctant to impose any restrictions in the matter.

MR. BRUNNER said, he would remind the right hon. Gentleman that he did not go beyond encouragement.

Question put, and *agreed to.*

Clause 4 (Transfer to County Council of certain powers of Justices out of Session).

MR. STANSFELD (Halifax) begged to move the amendment standing in the name of the hon. Member for Hanley (Mr. Woodall).

Amendment proposed, in page 4, line 32, after the words "stage plays," to insert the words "elsewhere than within boroughs."—(*Mr. Stansfeld.*)

Question proposed, "That those words be there inserted."

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, he must ask the Committee not to assent to this Amendment, as the right hon. Gentleman knew boroughs were of all sorts and sizes. All boroughs with over 50,000 inhabitants were to be

created counties in themselves for the purposes of the Bill. There were a large number of urban districts which were larger than some boroughs; and it was quite clear that if the Amendment were carried, they would have some right to feel aggrieved. It must be borne in mind that full power was to be given to the County Council to delegate any powers of this kind to the District Councils, and he had no doubt that the County Councils would largely avail themselves of the power where the boroughs were of sufficient importance.

MR. FIRTH (Dundee) said, he must suppose the President of the Local Government Board intended the clause as it stood to apply to London. There was a new clause on the Paper which would take the power away, and he desired to understand clearly that that power would not be taken away. He was in favour of the clause as it stood. This was a very serious change in so far as it affected London. It was a change which was wanted, and the representatives of London quite approved of it. The Government had dropped so many things that one would like to know if they proposed to drop this.

MR. RITCHIE said, that by the Bill, as it at present stood, these powers would be conferred on the County Council of London.

MR. HALLEY STEWART (Lincolnshire, Spalding) asked if the Government would accept the suggestion that boroughs of a certain size should have these powers. He understood the right hon. Gentleman objected mainly to the power being conferred on small boroughs, say, of 500 or 600 or 700 inhabitants. [*Cries of* "Oh, oh!"] He knew there were some ancient boroughs with fewer than 1,000 inhabitants. Would the President of the Local Government Board consent that boroughs with 5,000 inhabitants at the last Census should have these powers?

MR. RITCHIE said, he dld not think they ought to be asked to go further than they had gone in the Bill. The Bill gave to the County Councils full power of delegation, and the Government had every confidence that the Body they were creating would take into consideration all the circumstances of the various districts, and judge for themselves as to the districts which might properly be entrusted with these powers.

MR. STANSFELD asked permission to withdraw the Amendment.

MR. BRUNNER (Cheshire, Northwich) said, he could not understand why the right hon. Gentleman should give this power to the County Council if he hoped that they would not use it, but give it to the District Councils. It was a pity not to give the power to the District Councils direct.

Amendment, by leave, *withdrawn.*

BARON DIMSDALE (Herts, Hitchin) move to insert after the word "plays," in line 32, the words "other than licences for the performance of stage plays by travelling troupes." It was unreasonable to suppose that the County Council, or even a Committee of the Council, should assemble when a troupe coming into a town wanted a licence. Considering the difficulties in the case, it would be as well to reserve the power of granting such licences to the magistrates. The magistrates were always at hand, and could be got together to grant any licence of the kind.

Amendment proposed,

In page 4, line 32, after the word "plays," to insert the words "other than licences for the performance of stage plays by travelling troupes."—(*Baron Dimsdale.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he thought it would be advisable to leave the clause as it stood. His hon. Friend was probably aware that it was usually the buildings in which travelling troupes performed which were licensed, and not the troupes themselves. This was just one of those matters which ought to be dealt with by the County Council. That Body could, of course, delegate the power to the Justices if they liked, or to the District Councils. He felt perfectly certain they could rely on County Councils taking measures to prevent any inconvenience arising in reference to such matters.

MR. BRUNNER begged the right hon. Gentleman to leave this power where it was now—in the hands of the Justices. The right hon. Gentleman thought the County Council would be discreet enough to hand the power to the District Council. Why not leave it where it was? The present system was

extremely convenient. The people could go now to the Justices without trouble; whereas if the County Council did not go through the right about face which the right hon. Gentleman expected they would, the people who wanted a licence must go to the county town for it.

Question put, and *negatived.*

Clause *agreed to.*

Clause 5 (Reservation of business to quarter sessions).

On the Motion of Mr. RITCHIE, the following Amendment made:—In page 4, line 36, leave out from "inoculation" to "rate or," in line 37.

On the Motion of Mr. RITCHIE, the following Amendment made:—In page 4, line 38, after "persons," to insert "against the basis or standard for the county rate, or."

MR. ROUND (Essex N.E., Harwich) asked, if the preparation for the basis of the county rate would now be in the hands of the County Council?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): Certainly.

MR. HENRY H. FOWLER (Wolverhampton) said, that as the right hon. Member for the Camborne Division of Cornwall (Mr. Conybeare) was not present, he begged to move the Amendment which stood in the hon. Gentleman's name—namely, to insert after "All," in line 40, the word "judicial." The clause would then read—"All judicial business of the quarter sessions not transferred by this Act," and so on. He took it that the intention of the Government was that all the business of the Quarter Sessions, except judicial business, was to be transferred to the County Council. If that were the intention of the Government, they had better say so.

Amendment proposed, in page 4, line 40, after the word "all," to insert the word "judicial." — (*Mr. Henry H. Fowler.*)

Question proposed, "That the word 'judicial' be there inserted."

MR. RITCHIE said, he did not think it would be well to agree to the Amendment. The insertion of the word would hamper them very materially.

Question put, and *negatived.*

MR. ANDERSON (Elgin and Nairn) begged to move as an Amendment, to insert after "business," in line 40, the words "other than judicial business."

THE CHAIRMAN: The Amendment of the hon. and learned Gentleman is out of Order. Any dealing with judicial business is entirely outside the scope of the Bill; that was ruled to be the case on the question of the Instructions to the Committee.

Amendment proposed,

In page 5, line 2, at the end of the clause, to add the words, "Save as aforesaid all the business of Quarter Sessions shall be transferred to the County Council."—(*Mr. Stansfeld.*)

Question proposed, "That those words be there added."

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG) (Wilts Devizes) said, he was afraid the Government could not accept this Amendment. The point had already been decided, or, at all events, considered in connection with another Amendment.

MR. STANSFELD (Halifax) said, he failed to see the objection to the Amendment. The words it was proposed to insert were—"Save as aforesaid all the business of Quarter Sessions shall be transferred to the County Council." The Amendment appeared to him to be entirely consistent with what they had done.

SIR RICHARD WEBSTER said, the insertion of those words might lead to great difficulty. At present the Quarter Sessions did certain business. It was proposd to transfer to the County Councils a certain portion of that business; the rest was to be left to the Quarter Sessions. It would not then be proper to put in general words, such as—"Save as aforesaid all the business of Quarter Session shall be transferred to the County Council." All business not transferred would remain with the Quarter Sessions. It would lead to great misunderstanding if they added the general words suggested.

MR. ANDERSON said, he entirely agreed with the hon. and learned Attorney General on the point. As he understood the matter, the object of the Bill was to transfer to the County Councils the county business which was not specially dealt with in the Bill. The Amendment was perfectly clear. It

was—"Save as aforesaid all the business of Quarter Sessions shall be transferred to the County Council." He thought the hon. and learned Attorney General must have many instances in his mind in which it had been found exceedingly convenient to have general words of this kind. A general provision of the kind very often removed great difficulty, because if they did not have general words like those, they might have litigation as to whether particular powers had been transferred. He could see in the future litigation under the Bill, unless some such words as these were inserted.

SIR RICHARD WEBSTER said, that a few moments ago the right hon. Gentleman the Member for Wolverhampton (Mr. Henry H. Fowler) moved, in the absence of the hon. Gentleman the Member for the Camborne Division of Cornwall (Mr. Conybeare) to put in the word "judicial." If that word had been inserted the clause would have read—"All judicial business of the Quarter Sessions not transferred by this Act to the County Council shall be reserved to and transacted by the Quarter Sessions," and then this Proviso would have come in, "save, as aforesaid, all the business of Quarter Sessions shall be transferred to the County Council." The Committee negatived the proposal to insert the word "judicial," and, therefore, the clause stood "all business of the Quarter Sessions not transferred by this Act to the County Council, shall be reserved to and transacted by the Quarter Sessions." It would be quite wrong to put after those words a saving clause, which was only applicable if they had inserted the word "judicial."

MR. ANDERSON said, that in that case he did not understand the ruling of the Chair, that the word "judicial" was outside the scope of the Bill. If that ruling was correct, the point taken by the hon. and learned Attorney General could not arise.

THE CHAIRMAN said, that his ruling was that any attempt to deal with the judicial business of the Quarter Sessions would be outside the scope of the Bill. The insertion of the word "judicial," after all, would not have dealt with that judicial business; it would simply have left the matter where it was.

Question put.

The Committee *divided*:—Ayes 116; Noes 165: Majority 49.—(Div. List, No. 162.)

Question, "That Clause 5, as amended, stand part of the Bill," put, and *agreed to*.

Clause 6 (Powers of quarter sessions as to visiting lunatic asylums).

MR. STANLEY LEIGHTON (Shropshire, Oswestry) said, he had an Amendment on the Paper to this clause which he would briefly explain to the Committee. The object of the clause was to introduce the magisterial element into the visitation and overlooking of lunatic asylums. Well, the way in which this was provided for in the clause seemed likely to create friction, because it was suggested that the Court of Quarter Sessions should appoint a committee that should have certain powers in the matter so far as visiting and making remarks in the visitors' book, going over the asylums, and so forth; in fact, superintending the work that was entrusted to the County Council. That might—he did not say it would, but it might—lead to friction between the two Bodies — namely, the committee of the county magistrates, and the committee of the County Council. The County Council committee, it must be remembered, would, in all probability, have on it members of the magisterial Body. In all probability that committee would not be composed entirely of Councillors outside the Justices of the Peace, and magistrates would probably be placed on that committee. The magistrates might go on it as elected Councillors, or selected Councillors, and most probably would be represented in one way or the other on these asylum committees of the County Council. Well, it would be unwise to start a new committee in a county drawn largely from the same class as those who already formed the committee for the purpose of watching its operations. He felt strongly, at the same time, that the more lunatic asylums were visited by people of respectability and authority the better, and, therefore, he would extend the power of inspecting them, and he would offer opportunities for as many surprise visits as possible, while avoiding the

inconvenience which must arise from a dual control. At present all the Guardians had a right to visit every patient who might be in a lunatic asylum coming from their own Union. Well, it seemed to him (Mr. Stanley Leighton) desirable to leave that power as it stood, and taking that as a precedent that they should give the Justices the power of visiting lunatic asylums in regard to anyone who might be in them from their own Petty Sessional Division. In many cases it would be remembered the magistrates were called upon to sign the certificate before a lunatic was sent to the asylum, and the consequence was that in many cases the magistrates would have already seen the lunatic, and would have signed the order for his committal or reception in the asylum; therefore, it appeared to him, that in order to avoid friction, and at the same time to secure the advantage, so far as possible, of public inspection to persons placed in lunatic asylums, they should accept the principle of the clause while they altered the form of it in the manner he suggested. He did not think the form in which his Amendment stood upon the Paper was quite correct. It required a little alteration, and, if the Government would accept it, he would modify it so that it would run in this way—

"Every Justice of the Peace of any county shall have the same Power of visiting patients from his Petty Sessional Division as Members of Boards of Guardians have at the present time of visiting patients from their own Unions."

Amendment proposed, in page 5, line 3, to leave out the words "The Quarter Sessions," in order to insert the words "Every Justice of the Peace."—(*Mr. Stanley Leighton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, he was afraid the Government could not accept this Amendment. The hon. Member seemed to think, that if the Justices in Quarter Sessions appointed a Committee for the purpose of visiting these asylums it would lead to friction; but the hon. Member had failed to show why it would lead to friction, and he failed to show that this proposal to enable every magistrate to visit an asylum in the county would lead to less friction. It seemed to him (Mr. Ritchie) that the proposal of the hon. Member would be extremely likely to lead to friction, if every magistrate in a county had a right to enter the lunatic asylums at any time he pleased. He thought the proposal in the Bill was a good one, because it was advisable that a judicial Body like the Quarter Sessions, which was a judicial Body, should have some power of visiting asylums with the view of seeing whether abuses of any kind existed, and if they thought circumstances necessitated it, have the power of recording their opinion as to the state of things there existing. That seemed to him a very desirable power to maintain in the hands of the magistrates, and therefore the Government had provided that it should be so retained, but they certainly thought that it would be very inadvisable to allow every magistrate as an individual, and not as a member of a committee, to visit asylums. The analogy of the Guardians mentioned by the hon. Gentleman was not exactly in point, because it seemed to him that the Boards of Guardians had a *locus standi* to visit in the asylums those paupers who were supported by the Unions of which they were Guardians. That argument would not apply to magistrates in every part of the county. He trusted, therefore, that the hon. Member would not think it necessary to press the Amendment.

MR. WADDY (Lincolnshire, Brigg) said, that the Amendment moved by the hon. Member opposite (Mr. Stanley Leighton) was literally a single Motion, but, in reality, it would take a double form. The hon. Member proposed to leave out the words "The Quarter Sessions," in order to insert the words "Every Justice of the Peace," so as to enable him later on to move other words to the effect he had explained. He (Mr. Waddy) should like to see the words "The Quarter Sessions" left out, and he would support the hon. Member in that proposal; but those words were not sufficient to leave out. Many hon. Members would agree with him (Mr. Waddy) that it would be desirable to leave out the words "The Quarter Sessions of any county," in order to insert the words "The County Council," and then the clause would read—

"The County Council may from time to time appoint a Committee of their number, not exceeding 10, for the purpose of the visitation of the pauper lunatic asylums of the county;"

and so on. He (Mr. Waddy) simply desired to indicate what he thought desirable, and did not move these words in any way as an Amendment. He would ask the Chairman his view of the matter as to whether the proper Motion would not be to leave out the words he had referred to instead of merely "The Quarter Sessions," so that he would be in a position to make his proposal if the hon. Member's Amendment were either abandoned or rejected.

THE CHAIRMAN: The hon. and learned Member seems to be unaware that Sub-section 7 of Clause 3 is a provision giving County Councils power over the enlargement, management and visitation of asylums for pauper lunatics.

MR. WADDY said, he was aware of that sub-section, but did not know that it would give to the County Council the same powers as they might have under Clause 6.

MR. RITCHIE said, as it was clear these asylums were transferred to the government of the County Council, it would be quite within the powers of the County Council to appoint a committee for the purpose of visiting such institutions.

MR. WADDY said, that if that were so he would submit that nothing could be more absurd, even under the present Government, than to propose that there should be dual control of these asylums. They would have two Bodies to do the same thing. If the two Bodies were not to do the same thing, then, so far as one of them was concerned, the proposal would be a nuisance. If the work to be done under Clause 6 was the same as was proposed to be done under Sub-section 7 of Clause 3 it was an absurdity, and if not they ought to have a clear definition of the work to be done respectively by the one visiting Body and the other.

SIR JOHN DORINGTON (Gloucester, Tewkesbury) said, he rose to support his hon. Friend in this Amendment. The Court of Quarter Sessions in his county held a very strong opinion as to the inexpediency of this particular clause, on the special grounds which had been alluded to by the right hon. Gentleman the President of the Local Government Board—namely, that it would prove a great cause of friction in a county. This clause was put in on the analogy to the case of visitation of the county gaols—to enable the Quarter Sessions to appoint a Body for the purpose of visitation. But it should be remembered that the circumstances were different. In the case of the gaols the magistrates were an outside Body who had to inspect what the Government were doing inside, while, in the present case, the circumstances were quite different. He thought the clause was useless in the form in which it stood in the Bill, and he would himself propose, with the full approval of the Justices of his own county and of many other Courts of Quarter Sessions, to omit the whole section. However, pending the putting of the clause as a whole, he approved of the Amendment of the hon. Member (Mr. Stanley Leighton). They were about to take a very important step in the administration of their county lunatic asylums. They were going to hand over to a Body, practically a changing one, on which there would, perhaps, be no experts in the management of lunatic asylums, the management of such asylums. This Body would be elected for triennial periods, and on it the welfare and happiness of so many unhappy creatures would depend. Now, supposing the committee of visitors of the County Lunatic Asylums had nothing to do but visit them, not so much would need to be said about the matter, but those were not their functions at all. It was quite a mistake to describe the visiting committee of a county lunatic asylum as a purely visiting committee. It was not a visiting committee at all; the committee were the actual managers of the asylum, and though they were appointed annually by the Court of Quarter Sessions in the month of January, yet he thought that any Court of Quarter Sessions would subject itself to serious censure indeed which ventured to change the Committee of Visitors in January and replace them by an entirely fresh Body. And yet that was what the Bill proposed to do. As to the magistrates themselves, they were to be congratulated upon the fact that they were to be released from the business of managing lunatic asylums. There could be no task more unpleasant, and more distasteful to perform, than that of visiting lunatic asylums. The

Visiting Committees had been gradually built up from the large Body of magistrates of the country. They had grown up by slow degrees, and had become familiar with the working of these institutions—in fact, they had become what might be called experts. In his recollection, which went back for a good many years in this matter, he had never known a chairman of the Visiting Committee of his county who would not have been able, if necessary, to go into the asylum and take entire charge of it if anything went wrong. How could the Government hope to establish committees of that kind if the committees were to be appointed triennially? Perhaps he was rather digressing from the particular subject of this Amendment, but he considered this matter so important that it was necessary the Committee should be fully acquainted with the whole nature of the case, and, as a matter of fact, he did not think it had fully appreciated the subject. The visitation of lunatic asylums was undoubtedly one of the most important functions that the Court of Quarter Sessions had to perform, and it would be one of the most important functions that the County Council would have to perform in the future. The House, therefore, was bound seriously to consider the importance of what it was doing by transferring this work from a Body of experts to this which was not an expert Body. Let them take, for instance, the appointment of a medical officer to one of those establishments. From time to time a number of juniors came before the Visiting Committee, who had to discharge the duty of selecting a fit person for the post of medical officer, and unless the committee had a knowledge——

MR. HALLEY STEWART (Lincolnshire, Spalding) said, he desired to ask the Chairman, whether the question the hon. Baronet was dealing with had not really been disposed of under Sub-section 7 of Clause 3?

THE CHAIRMAN: The question of the management of lunatic asylums from the Quarter Sessions to the County Councils has already been disposed of. All that can be discussed here is the question of the appointment of a committee of the Quarter Sessions for the purpose of inspecting the asylums, and even that could not be discussed as a whole, but only in so far as the particular Amendment before the Committee was concerned.

SIR JOHN DORINGTON said, he would not resume the kind of argument he was pursuing as to the importance of the duties that had to be performed by the Visiting Committees. He would merely now say that he entirely concurred with the Amendment which had been proposed, and disagreed with the theory of Clause 6 under which they would be setting up a committee of Quarter Sessions to criticize and inspect the manner in which their successors in the management of the lunatic asylums discharged their functions. He did not think the plan proposed by the clause would work happily at all. He did not think, however, that the interference of the magistrates, which would be involved in the acceptance of this Amendment, in the asylums under the management of the committee would be objectionable, because the magistrates would be limited to visiting patients who had come from their own particular neighbourhood, and whom they would desire to see. Notwithstanding all that had been said against the magistrates in the course of this discussion, the poor naturally turned to the Justices in their own neighbourhood in order to see that things went right. Only that morning he had seen a poor woman who had looked to him as mediator between her and her husband, who was, unfortunately, confined in one of these establishments. He was the frequent means of telling the woman how her husband was getting on. If the magistrates were divorced from this position they would not be conferring a boon upon the poor people of the counties, but on the contrary, would be doing them an injury. He, therefore, supported the Amendment.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, it seemed to him that a good deal of the speech of the hon. Baronet was really a strong argument in support of this clause. He desired, however, to call attention to a remark made by the hon. and learned Member for the Brigg Division of Lincolnshire (Mr. Waddy), who seemed to have lost sight of the object of these two clauses—Clause 3 and Clause 6. It had already been pointed out that Sub-section 7 of Clause 3 conferred the power of visitation upon

the County Councils. It, undoubtedly, gave the County Council power to appoint a committee to discharge certain functions in connection with asylums, but Clause 6 was to give the Quarter Sessions a power to appoint a committee to visit the asylums, and to enter in the visitors' book the result of their inspection as if they were members of the committee of visitors of the asylum. The object of the Amendment was to provide that the magistrates should have power to visit only those persons in the asylums who came from their own districts. The hon. Member (Mr. Stanley Leighton) in the Amendment recognized the desirability of allowing the Justices to visit in certain cases people put under restraint in these asylums. When it was admitted that it was desirable that there should be this class of inspection referred to by the hon. Gentleman who moved the Amendment, it certainly seemed to him (Sir Richard Webster) that there could be no reason for suddenly saying that the Quarter Sessions should not have the slightest influence or control over, or even power, of inspecting lunatic asylums. The hon. and learned Member for the Brigg Division (Mr. Waddy) had said, that either one Body would do something, and the other do nothing, or that both would do nothing, or that each of them would be a nuisance to the other. He (Sir Richard Webster) failed to see how it could be said that both Bodies would do nothing. They both would have power to visit—and here he would point out that this was only after all an optional clause; it was to provide that "the Quarter Sessions of any county may from time to time appoint a committee of their number," &c. It was considered further a most desirable thing to give the magistrates, who had great experience in matters of lunacy, power to see the functions granted under the Bill properly carried out. He did not see, merely because a new power was to be established, why the magistrates should not be able to see that the lunatics were properly cared for. If it were the fact, as was alleged in some quarters, that they could not transfer the power of managing a lunatic asylum to a worse Body than the County Council, there was all the more reason why they should have a Body of experience to discharge the function of visitation, at any rate, for some time.

MR. CONYBEARE (Cornwall, Camborne) said, the answer to the remarks and arguments of those who opposed the Amendment was this, that, at any rate, a great number of those magistrates who were such excellent authorities on lunacy matters would be on the County Councils. Surely, the Government had expressed all through, by various arguments and limitations and restrictions and dodges of other kinds, sufficient distrust of the authorities they were constituting under the name of County Councils. They on that (the Opposition) side of the House had been implored by the Government day after day not to show their distrust of these worthy men, men of honour and virtue and respectability—these magistrates who had conducted themselves so well in the past—by suggesting that they could not do this, that they could not do that, and mainintained that this power and that that power should be left to them. He thought they had a right now to appeal to the Government to show some confidence in the new authorities they were setting up, the County Councils, and this appeal appeared to him to be all the more reasonable on the present occasion, because, presumably owing to the arrangements they had adopted in the course of this Bill, some at any rate of these magistrates would find places, if not as elected Councillors, at any rate as nominated Aldermen on the County Councils. That being so, nothing would be easier than for those who had this great experience in the treatment of lunatics to be appointed on the committees which the Councils would have the power, according to the Government, of appointing for the visitation of asylums. Surely they rely sufficiently upon the common sense of their countrymen to rest satisfied that the Councils would appoint upon these committees those members who were known as best qualified, by experience and so on, to deal with these asylums. He had sufficient confidence in the Councils to believe that they would not go and form these committees out of the least experienced and most unworthy members of their body, but that they would be careful to select those who had the most experience, and who, under the old

system of things, would have had the direct control and visitation of lunatic asylums. Another point which had been urged by the hon. Baronet the Member for Tewkesbury (Sir John Dorington) was, that the elected Council would be a most improper Body to have the control of this matter, of visiting lunatic asylums, because, as he said, that Body would be elected for three years. But there the hon. Baronet was wrong; such was not the scheme of the Government. The scheme of the Government was to have elections only every six years. If he was not misrepresenting the First Lord of the Treasury, according to that right hon. Gentleman's statement there were to be a large number of nominated Aldermen, and, that being the case, it must be evident that the Council would not be a Council consisting of men here to-day and gone to-morrow. They would have Councils who would enjoy their functions for at any rate six years, and would contain a great many men who were nominated Aldermen, and whose positions were thereby assured. He would point to what had been the experience of Town Councils in this matter, when they were told that Members had been returned over and over again by the same constituencies for years and years. The right hon. Gentleman who usually sat with them below the Gangway was returned Mayor for Birmingham for six years, and it was said that he and some members of his family were still on the Birmingham Corporation. [*Cries of* "Question!"] This was the question, because it was contended by the hon. Baronet opposite (Sir John Dorington) that these new Councils would be transient Bodies.

THE CHAIRMAN said, that the hon. Member's remarks were of a general character, dealing with the clause as a whole. It would be convenient if the hon. Member would confine himself to the special Amendment.

MR. CONYBEARE said, the special Amendment was to leave out the words, "The Quarter Sessions." He was meeting, or endeavouring to meet, arguments from the other side, but did not wish needlessly to trouble the Committee. It would be observed that the next Amendment on the Paper was one which had been already referred to by the hon. and learned Member for the Brigg Division of Lincolnshire (Mr. Waddy)—namely, to insert "County Council" in place of the words "The Quarter Sessions of any county," and he (Mr. Conybeare) should like, with the permission of the Chairman, as it had been referred to, and as it might arise again, to say what would be the best course for him to adopt. He agreed entirely with the hon. Baronet opposite that the best course would be to leave out the clause altogether. It was intended to ask permission to substitute the words "County Council" for the words "The Quarter Sessions in any county," but he (Mr. Conybeare) thought, owing to the discussion which had already taken place, that probably the best course would be for him not to move the Amendment which stood in his name, which was, after the word "county" to insert the words "and the County Council," but when the time came, and the Question to add Clause 6 to the Bill was put, to follow the lead of the hon. Member for the Launceston Division of Cornwall (Mr. C. T. Dyke Acland) and vote against the addition of the clause altogether.

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he should like to say one or two words on what really was a most important question. He did not think the right hon. Gentleman the President of the Local Government Board really appreciated how important this question was. The Government had decided to transfer to the County Councils the entire management of the lunatic asylums of the county; but it was now proposed that they should appoint a committee of the Quarter Sessions to visit the asylums whenever they pleased. Now, he (Sir Walter B. Barttelot) looked upon it in this light, that if the County Council was a fit and proper Body to have the management of lunatic asylums, they ought to have such management. He would put a parallel case, drawn from the experience of business men in this House, in order to bring the case fairly before the minds of hon. Members. Supposing a Member of this House had deposed a man from the function of managing his property or business, and had put another person in his place, would it be considered a proper thing to appoint the man so deposed to look after the man who had been appointed in his place? He was putting the case as

plainly as he could. He did not think there was any use or any necessity for appointing this double committee. As he had said, if the County Councils were to be trusted, it was no business of theirs to look after them. But there was a great deal to be said on the remark the hon. Baronet for the Tewkesbury Division of Gloucester (Sir John Dorington) had made with regard to individual magistrates inspecting those persons who were sent from their own particular Unions, and the certificate of whose detention they themselves might have had to sign. Individual magistrates might with advantage have conferred on them the right of going to the asylums in order to see that such persons received the treatment they deserved. That was a totally different matter altogether, and, therefore, whilst he did not approve of the clause as it stood, he thought there could be no objection to magistrates having the power to go to lunatic asylums in order to see certain individuals, and to ascertain for themselves whether or not they were receiving the sort of treatment they ought to receive.

MR. BROADHURST (Nottingham, W.) said, it was refreshing to the Committee to hear the hon. Baronet the Member for North-West Sussex (Sir Walter B. Barttelot) and he (Mr. Broadhurst) was sure they were all deeply indebted to him for giving them a straightforward opinion from his side of the House as to the value of the County Councils and the concession proposed to be made to the magistrates in this clause. What they had anxiously listened for from the hon. and learned Gentleman the Attorney General (Sir Richard Webster) was some statement as to the necessity for this clause at all. After they had passed Sub-section 7 of Clause 3, Clause 6, which was now occupying the time of the Committee, was not necessary, and he thought the Government would facilitate the progress of Business if they were to at once withdraw it. It was very interesting to hear from hon. Members opposite that they had no faith in County Councils, that they did not believe in elected Bodies, and that they did not think the County Council capable of discharging the duty of the visitation of pauper lunatic asylums. Surely that was an extraordinary opinion; but the Committee knew that it had now got an honest expression of the opinion of hon. Gentlemen opposite on this matter. He quite agreed with the hon. Baronet the Member for North-West Sussex that this clause was useless, and he was further of opinion that it was only retained as a sort of sop to the disestablished authorities in the county. To prevent confusion in the administration of an Act, if it ever became an Act, which they were not quite certain of yet, this clause should be removed from the Bill altogether. The Government ought to say what they meant. Let them say boldly that the county magistrates were in future to have no authority in this matter.

MR. COMMINS (Roscommon, S.) said, that instead of removing the clause from the Bill altogether, he thought an Amendment could be adopted which would make it a very good provision. He quite agreed with the arguments of the hon. Baronet the Member for North-West Sussex (Sir Walter B. Barttelot) that the appointment of a committee of the Court of Quarter Sessions would be really of no advantage whatever. The Court of Quarter Sessions, as they knew, consisted of many dozens of individuals who had the management of these asylums in their hands. If the management was taken out of their hands, he thought that, to give them the appointment of a committee to look after the thing afterwards, would be neither a blessing to them nor to anyone in the asylums. As was well known, lunatic asylums were places where persons were confined away from the eye of the public—where observation did not penetrate—and that, therefore, it was essential to appoint authorities outside to look after and inpect them. Every magistrate should have power to go into a lunatic asylum, and make an examination there of those persons who had been sent in from his own district, and whom he knew. The magistrate had now far more important powers than that. He could sign certificates sending people to these asylums. Why, then, should he not be able to follow them to the asylums, and see that they were properly treated there? He (Mr. Commins) could not see any objection to allowing the magistrate to go to the asylum; he could not see the inability of the magistrate to judge of the manner in which these people were treated. If

he was unable to form such judgment, he should not have power to send people to the asylums. As, however, a magistrate was a man who was likely to be interested in lunatics receiving proper treatment, and as, in all probability, by a person who would be acquainted with the friends of the patients, and who had known the patients when sane, for these and for a variety of reasons magistrates who might feel, and justly feel, towards lunatics a certain amount of interest, ought to have power to visit the asylums whenever they thought fit. It would be an advantage, it seemed to him (Mr. Commins), to alter the clause so as to enable magistrates to visit asylums in this way. The privilege would not be thrown away, as magistrates were likely to have a great deal of time on their hands now that they had been disestablished and had had a great many of their present magisterial functions taken from them.

Mr. NORRIS (Tower Hamlets, Limehouse) said, he did not think the right hon. Gentleman the President of the Local Government Board was aware of the resolution come to on this subject by the Middlesex magistrates. Their resolution, in effect, was that the clause which enabled the Quarter Sessions to visit lunatic asylums should be expunged from the Bill, inasmuch as the asylums would be under the jurisdiction of the County Councils, and the Visiting Justices would have no such control. He (Mr. Norris) cordially assented to the Amendment moved by the hon. Member (Mr. Stanley Leighton), because he felt it was good that these asylums should be visited from time to time, and that too strict a watch could not be kept upon them. He did not, however, see the necessity for the nomination of two committees.

Mr. RITCHIE said, it would appear from the discussion which had taken place that this Clause 6 had no friends. The Government had inserted it in the Bill because they thought it extremely desirable that the magistrates, who had the power of making orders by which individuals were placed in these asylums, should also have some responsibility attaching to them, by means of visitation, of seeing that the patients were properly cared for, and were not detained any longer than it was right they should be detained. However, it seemed that the clause was not acceptable to the gentlemen who had hitherto performed the duties that they proposed to transfer to the County Councils. The Government, therefore, would not press it unduly upon the Committee. If the Amendment were withdrawn, they would withdraw the clause, and would consider between now and the Report stage whether it was necessary to make any further provision in the direction of this section. Probably it would not be necessary; but the matter should be considered, and, in the meantime, it would be well to withdraw the clause.

Mr. STANLEY LEIGHTON said, he did not know whether the right hon. Gentleman understood that it was not the Quarter Sessions that sent people to the asylums, but individual magistrates; and, therefore, it was individual magistrates, those who sent people to the lunatic asylums, who, according to the suggestion of the Amendment, were the people who ought to be allowed to visit the asylums in order to look after the patients. He trusted, therefore, the right hon. Gentleman would be inclined to consider that point in his Amendment. If the Government were good enough to consider the question, he should have no desire to press the Amendment to a Division. He should be happy to withdraw the Amendment on the undertaking the right hon. Gentleman had given — namely, that the matter would be favourably considered by the Government.

Amendment, by leave, *withdrawn.*

Question, "That Clause 6 stand part of the Bill," put, and *negatived.*

Clause 7 (Powers as to Police).

Mr. T. E. ELLIS (Merionethshire), in moving, in page 5, line 11, to omit the following words:—

"Nothing in this Act shall affect the powers, duties, and liabilities of quarter sessions with respect to the appointment, control, and dismissal of chief constables, and the powers of quarter sessions under section seven of the County and Borough Police Act, 1856, to direct and require constables to perform any duties in addition to their ordinary duties, may be exercised both by quarter sessions and by the county council; but, subject as aforesaid,"

said, he moved the Amendment for this reason that the Chief Constable was the pivot on which the whole management of the county police turned, and he thought it only natural that the authorities that had the control of the

police should also be the authorities to control the Chief Constable. He believed it to be reactionary and mischievous to exclude from the hands of the popular representatives the control of the police. The House had, however, decided that the County Council was not to have the sole control over the police; but he thought that the least that could be done would be to give the Body that did control the police also the control and dismissal of the Chief Constable. Therefore, in order that words might be inserted later on in the clause to give the control of the Chief Constable to the same Body which controlled the police, he begged to move that these words be omitted.

Amendment proposed, in page 5, line 11, leave out from the word "nothing" to the word "aforesaid" in line 17, inclusive.—(*Mr. T. E. Ellis*).

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, the proposal in the Bill was that the appointment of the Chief Constable should remain in the hands of the Quarter Sessions, and that the hon. Member wished to get rid of, his proposal being to transfer that appointment to the joint committees. Well, the proposal of the Government as to the appointment of the Chief Constable had been made in view of the fact that the Quarter Sessions of magistrates in counties were responsible for the peace of the county; and, that being so, they thought it right and proper—that responsibility being cast on their shoulders—that they should also have cast upon them the responsibility of the appointment of the executive officer over the police. He was aware that, so far as the control and administration of the police was concerned, it was proposed to vest it in a joint committee. He knew also that that was a proposal objected to by many Members of the House, who thought that the entire control—not only the appointment of the Chief Constable, but the entire control of the police—should rest with the Quarter Sessions. Well, in his opinion, it was right and proper, having set up a representative Body representing the ratepayers of the county, that that Body should have a share with the Quarter Sessions, who had hitherto had the entire control of the administration of the police, and it was with that view that the Government had proposed this joint committee. But the responsibility for the peace of the county would continue to lie in the Quarter Sessions, and, therefore, they thought it necessary that adequate provision should be made for the proper exercise of that responsibility, and they had considered that if the appointment of the Chief Constable rested in other hands, adequate provision would not be made for the exercise of that responsibility which would be given by the proposal of the Government. Those were the reasons which guided the Government in the proposal they made in the Bill that the appointment of the Chief Constable should be with the Quarter Sessions.

MR. JAMES STUART (Shoreditch, Hoxton) said, he thought that in this matter the Government seemed to be going from bad to worse. The control of the police was claimed, on that (the Opposition) side of the House, for the County Council; but now they learned by this clause, and by the attitude of the Government, that the control of the police was given only partly to the County Councils, and that the appointment of the Chief Constable was given wholly to the magistrates in Quarter Sessions. Now, he would venture to say that, under these circumstances, the control which was to be given to the joint committees over the police was a pure pretence. What had the joint committee of the County Council and the magistrates to do in the matter of this control of the police? Why, surely the Chief Constable was the person who would manage and direct and control the police. Whoever had the control of the Chief Constable in their hands would be the party controlling the whole police force. They were face to face with this fact, that the Front Bench on the other side were providing that in the future the control of the police should be exactly what it had been in the past. Arguments such as these were used in respect of the Amendment by the right hon. Gentleman the Secretary of State for the Home Department and some other Members on the other side of the House, who were in favour of the maintenance and control of the police being in the

hands, not of the joint Body, but exactly in those hands in which they were at present. Now the Committee saw how that was to be effected. It was to be effected by placing the control of the only person really responsible for the police in the hands of the Quarter Sessions. And so they were to perpetuate in a much stronger form all the evils of the absence of popular control over the police force. He said all the evils of the absence of popular control, but inasmuch as they at present had no Body in whose hands they could place the control of the police, there was an excuse for them; but under the provisions of this Bill they were providing for the establishment of a popularly elected local Governing Body, and by definitely refusing to hand over to that Body the management of the police they were landing themselves in a position which was far worse than they had ever been in before. By giving this popularly elected Body a share in the control of the police and not a share in the control of the Chief Constable, they were creating opportunities for various troubles to arise. He looked forward in London to the effect of this proposal with the deepest distrust and alarm. There was in the past ample ground why in London they should have the police under the control of the Home Office or some other public Department, and why they should have the Chief Constable in London nominated by the Home Office or some other Government Department, because there had been no elected Body to nominate or control him; but though they were to have an elected Council the Government were going to refuse to that Body by this Clause 7—by implication, at any rate, as they were going to refuse it to the rest of the County Councils, though they could raise that point, he was glad to say as to London—the control of the Chief Constable. The Chief Constable ought to re-echo the feelings of the population, he ought to be in sympathy with the views of the people, and ought not to be the representative of what in non-Parliamentary language were called "fads," as some of the nominated heads of the police were. He would merely point out as to this Amendment, and as to this clause, that the House was now called upon to vote on one of the most important matters in the Bill. It was now about to vote in its most vital form, whether the people or the magistrates were to have the control of the police. He and his hon. Friends were opposed altogether to the admixture of the judicial and administrative functions, and they opposed everything but a popular control over the police being granted by the appointment of the Chief Constable being placed in the hands of the County Council. As they could not now, through what had already been passed in the Bill—at any rate till they got to the Report stage—raise the question again, except in the matter of London, whether or not the County Council was to have absolute control over the police, they contended that if the Government were going to give the joint committee such control, they entirely stultified that committee if they took away from them the power of appointing and controlling the Chief Constable.

MR. F. S. POWELL (Wigan) said, he hoped the Government would forgive him if he expressed some doubt as to the wisdom of their proposal in the particular clause under discussion. This proposal of the Bill had been discussed at great length by the Quarter Sessions of the West Riding in the county of York, and they had passed a resolution to the effect that the appointment of the Chief Constable in counties should rest with the standing joint committee. The discussion on that subject in the West Riding Quarter Sessions had been careful and prolonged, and the opinion arrived at was, if not actually unanimous—which he believed it was—at any rate that of a large majority. He thought that if they placed the appointment of the Chief Constable in the hands of one Body, and the control and management of the police in that of another, they would inevitably have mischief and friction. The right hon. Gentleman the President of the Local Government Board said that the Government held the magistrates responsible for the peace of the county; but it seemed to him (Mr. F. S. Powell) that that was a responsibility which could not be discharged with efficiency or fulness if that Body had the power of appointing the Chief Constable only, and not the power of appointing and controlling those who served under him. He thought that if this responsibility was to be complete, it should be vested

in one Body, which should be responsible for the whole organization of the police down to the lowest member of the force. Unless that were done there would be uncertainty and constant friction, and at a critical period in the history of the Council the possibility of anarchy and disturbance. He felt himself some doubt as to whether the Court of Quarter Sessions was the fittest Body upon whom the power of appointment of the Chief Constable could be conferred. The joint committees who were to have the control of the police would be comparatively small in numbers, whereas the Quarter Sessions were composed of large numbers. Now, as they increased the number of a Body who elected an officer, so they diminished the responsibility on the part of each gentleman who voted. Therefore, to place the appointment of the Chief Constable in the hands of the magistrates would be to diminish the prospect of having the best and most satisfactory appointment. Sometimes under the present system, when the appointment of a Chief Constable took place, magistrates appeared on the scene who had not been at the Court of Quarter Sessions for years. He felt great reluctance in being bound to oppose the proposal of the Government, made no doubt with great sincerity and earnestness; but he believed the right hon. Gentleman the President of the Local Government Board desired Members on all sides of the House to exercise free judgment in criticizing the details of the measure. The observations which he had made were based upon the best consideration which he could give to the subject and the resolution of his Quarter Sessions in the West Riding of the county of York.

SIR WILLIAM HARCOURT (Derby) said, he hoped the Government would take into consideration the observations made by the hon. Gentleman the Member for Wigan (Mr. F. S. Powell). He (Sir William Harcourt) did not think this was a question which would involve much difference of opinion on either side of the House. The question was what was the best arrangement which could be adopted for the preservation of the peace of a county. Was it probable that the dual form of government which was proposed by Her Majesty's Government would be a good one. The right hon. Gentleman the President of the Local Government Board knew very well that they (the Opposition) had not particularly favoured the appointment of these joint committees; but that matter did not enter into the present question. The joint committee, when it was once formed, was one Body and one government; but in the clause, as it stood, they were not only to have the joint committee consisting of two separate elements, but a totally different Body which was, in most material particulars, to exercise an influence entirely independent of the joint committee. In the old days, in time of war, it was not a very good thing to have a council in conflict with the commander of an army, and, generally speaking, operations of war were not well conducted under such circumstances. He would ask the right hon. Gentleman to consider, assuming that the magistrates were to appoint a Chief Constable who was distasteful to the majority of the County Council, how the system would be likely to work. There would be a Chief Constable appointed who would be distasteful to the general body of the police. Supposing that the Chief Constable demanded a certain number of men, and the County Council were adverse to that Chief Constable, it was quite plain they might refuse the men, they might be at constant war with the Chief Constable at the head of the police, and the police would be perfectly well aware that they were serving two masters who were in conflict one with the other. Was that likely to work well in the government of the police? He could not think it was. What was the reason they were to distrust the County Council and the joint committee they proposed to set up? They did not distrust similarly appointed Bodies in communities quite as liable to disturbance as any they could find in counties. Take great towns like Liverpool or Glasgow; they allowed the Watch Committee there to appoint the Chief Constable, and they took the municipal government of such places as their model for legislation, and they adhered to it on the whole very closely and very faithfully. What would Liverpool or Glasgow say if Parliament were to declare that the magistrates should appoint the Chief Constable and the Watch Committee should administer the police? Would such towns have stood it for a single moment? Was the peace not safe in the hands of the Watch

Committee? Why, then, were they to distrust the joint committee and the County Council which the Bill established? There was no doubt that the Justices were the conservators of the peace in counties; but so they were in boroughs, and if any disturbance arose the Justices had the right now to give orders to the police. In every borough in the country the Justices were the conservators of the peace; but it was not necessary on that account that they should have the appointment of the Chief Constable, and it seemed to him that if the Government would only adhere to the example they had taken as the model and framework of their Bill, they would do much more wisely than to set up this dual form of government, which was almost certain to lead to conflict between the two Bodies. If they could trust the County Council at all, let them trust it to this extent; if they did not trust it, let them not trust it under any circumstances. He earnestly hoped the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) would listen to the advice which had been tendered to him by the hon. Gentleman the Member for Wigan (Mr. F. S. Powell), who had just spoken, backed, as it was, by a very important opinion, the opinion of the Quarter Sessions in the West Riding of Yorkshire. He (Sir William Harcourt) did not know any Body which was capable of forming a sounder opinion on such a subject than the Quarter Sessions of the West Riding of Yorkshire; and if they were not jealous of this power, if they were willing to concede it, if they considered it was to the advantage of the organization of the police and of the administration of the police that this course should be taken, he could not see why the Government should be afraid in this matter to trust the joint committee who were to have the joint control of the police, the pay of the police, the determination of the numbers of the police, and, in fact, the general management of the police, and to place in their hands the nomination of the Chief Constable. As far as he could see, nothing but mischief would arise out of the arrangement proposed, and he hoped the Government would see fit to agree to the present Amendment.

MR. CHAPLIN (Lincolnshire, Sleaford) said, that the right hon. Gentleman (Sir William Harcourt), as he understood him, objected to the proposals of the Government because, while on the one hand the appointment of the Chief Constable was to be left in the hands of the Quarter Sessions, the control of the police and the management of the police was to be of a dual character. He was bound to say there was great force in the objections which the right hon. Gentleman raised; but he (Mr. Chaplin) adduced from his objections conclusions exactly opposite to those drawn by the right hon. Gentleman. He understood the right hon. Gentleman to desire that the appointment and control of the Chief Constable as well as the control of the police should be of the dual character which was contemplated by the Government.

SIR WILLIAM HARCOURT said, the right hon. Gentleman had misunderstood him. He did not raise the question of the dual position of the joint committee; he regarded that as a single Body and a single control, though he might have preferred a difference in the composition of it.

MR. CHAPLIN said, he quite understood the right hon. Gentleman's desire that the control of the Chief Constable and of the police should be in the hands of the Body which was contemplated by the Government, whether that be a dual Body, as he (Mr. Chaplin) thought, or a single Body, as the right hon. Gentleman considered it to be. He thought there was great objection to that proposal, and he adduced, as he said just now, conclusions exactly opposite to those of the right hon. Gentleman. What they ought to do in regard to this Amendment was to oppose it, so that when the proper time came for the discussion of the question, those Gentlemen who thought it right to do so could vote in favour of the whole control of the police, both of the Chief Constable and of the police force generally, being left in the hands in which it was at present.

MR. WARMINGTON (Monmouth, W.) said, the right hon. Gentleman the Member for the Sleaford Division (Mr. Chaplin) did not seem to appreciate the effect of the Amendment. There was to be a dual control. The first point of his hon. Friend (Mr. T. E. Ellis) was that under the Bill the appointment of the Chief Constable was to be left to the Quarter Sessions entirely, and that, after the ap-

pointment of the Chief Constable had been so left, there was to be a perfect dual control; that the County Council and the Quarter Sessions were to have power over the direction and the requisition of constables to perform any particular duties in addition to or outside their ordinary duties. The Amendment proposed that there should not be reserved to Quarter Sessions the appointment of the head of the Police Force, and that there should not be left to the Quarter Sessions, as one independent Body, and that there should not be conferred upon the County Council, as another independent Body, power to direct the police constables to perform certain duties. The result of there being two independent Authorities would be what the right hon. Gentleman (Sir William Harcourt) stated—namely, that there must be conflict between the two Bodies, the County Council and the Quarter Sessions in giving directions to policemen. As had been said from the opposite side, it did seem absurd that those who had to direct the actions of the privates in the Police Force were not to be persons who were to have the selection and appointment of the head who was to control the force.

MR. WADDY (Lincolnshire, Brigg) said, he did not altogether agree with the remarks of his hon. and learned Friend who had just spoken (Mr. Warmington), and he must say that it appeared to him that the observations which were made a moment ago by the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) were strictly logical and perfectly fair. The right hon. Gentleman took a perfectly intelligible and consistent view; he considered that the management of the police should be left entirely in the hands of the magistrates, and there was a great deal to be said in favour of such a view. But he (Mr. Waddy) and his hon. Friends took a view exactly the opposite; but it did appear to him that the observations of the right hon. Gentleman, however much they might disagree with them, were perfectly fair and logical. What he (Mr. Waddy) desired to point out was that they had already agreed that in some form they must have dual control. They had given to the County Council the duty of raising the money for the payment of the police—they had given to the County Council the power of the purse, in the 1st sub-section of Clause 3; and having done that, they were now about to say that the duty of raising the money for the police should be the duty of one Body, and that the patronage should be the share of another Body. He did not, for one moment, agree with some observations made, to the effect that they were simply going to give the power of appointing the Chief Constable to the magistrates, and the power of appointing the subordinate constables to the County Council. He did not think it for one moment, because, in point of practice, every one knew perfectly well that the constables would be appointed by the Chief Constable. The Chief Constable would receive their names, he would judge of their qualifications, he would make such recommendations as were necessary, and in 99 cases out of every 100, even if the Committee gave nominally the appointment to the County Council, really the nominations would rest with the Chief Constable, who was the nominee in reality of the magistrates. That was one result of pretending that this was a Liberal Bill, when in reality they were not giving in substance that which they were giving in form. One difficulty which would meet the Committee at every turn would be that the Government were trying to take back with one hand that which they were pretending to give with the other. They were in reality about to throw on the County Council the liability of providing for the police, while they were giving the patronage of the police to someone else. They were raising a dual control of the very worst form with regard to that matter as to which, of all others, County Councils would be the most sensitive and the most anxious. If County Councils were not fit to take care of the police, the Government had better tear up this Bill altogether. If they could not trust them with power, let them say so at once. If they wanted to have a kind of *imperium imperis*, if they wanted to have set over the County Councils some Body which was to keep the County Council in order, and govern them in regard to these matters which were too good for the County Council to take care of, and too aristocratic to be placed in the hands of the County Council, let them say so at once. It was a pity the Government had not raised this

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point in the way the right hon. Gentleman the Member for the Sleaford Division (Mr. Chaplin) had raised it; why should they not say at once—"We think that the whole of this matter should be left to the magistrates"? ["Hear, hear!" *from the Ministerial Bench.*] Quite right, that was an honest way of dealing with it, and he was glad to hear the cheers. Let them go to the country when the right time came with this distinct issue. He quite agreed that that was fair fighting, that that was exactly the kind of thing one wanted, and which one did not always get. Nothing whatever would be more satisfactory to the Opposition than to have this issue raised clearly and completely—namely, that County Councils were not to have the control of the police. Whatever the Government did, he begged them not to pretend they were giving to the County Councils that which they were not—to pretend that they were giving to the County Council power when, at the same time, they were withholding from the County Council a power which gave them the grasp of the whole position.

MR. M'LAREN (Cheshire, Crewe) said, he thought his hon. Friend who moved this Amendment (Mr. T. E. Ellis) would have done better if he had divided it into two, and if it was still possible for the hon. Gentleman to do so he suggested he should take that course, and that the Amendment should stop at the word "constables" in the third line of the clause. [An hon. MEMBER: He has stopped there.] He (Mr. M'Laren) was glad that had been done; because, as the clause stood, so far from there being dual control of the police there were no less than three separate Bodies which were to control the police. He believed there was nothing that was felt more strongly in the country, and in the county districts which were now to have County Councils, than the question of the appointment of the Chief Constable. Those who were likely to be members of the County Councils resented very strongly that they were not to have the complete control of the police in their hands. They, perhaps, might be willing, as a matter of compromise, that a joint committee should be appointed as the clause provided for the control of the police; but with regard to the appointment of the Chief Constable they felt most strongly that, if the joint committee was not to have the appointment of that official, then the control of the police was very largely a sham, and that that portion of the joint committee which was composed of members of the County Council would really have nothing but a nominal interest in the matter, and the other section of the joint committee, that section which was appointed by the Quarter Sessions, would really have the practical control of the police. There did not seem to be any real reason why this joint committee should not have the appointment of the Chief Constable. Half of the joint committee, the permanent element, would represent the Quarter Sessions. It was not as if the whole matter was to be transferred to the County Councils, a Body of which there had been no experience as yet; but half of the joint committee was to consist of the very gentlemen who for years past had had the management of the police, and whose greater experience, stability, and permanency upon the joint committee would ensure to them a very large, and probably preponderating, weight in the appointment of the Chief Constable and in the general control of the police force. Therfore, considering the experience they would bring to bear upon the joint committee, as distinct from the comparative newness of the men who were elected, he thought they might with perfect safety agree to the Amendment of his hon. Friend. It was certain that the proposal of the Government could not be a final settlement; the question would be agitated by the County Councils, for the County Councils would not be content to leave the appointment of the Chief Constable, which really meant the control of the police, in any hands but their own.

MR. FIRTH (Dundee) said, the difficulty there was in respect to this clause arose from the word "control." If the Quarter Sessions were to continue to control the Chief Constable, they must, he apprehended, also control the police. Supposing the Chief Constable determined to issue a proclamation, and the Quarter Sessions supported him in it, excluding the inhabitants of the county from some part of the county, and the County Council insisted that the people should have access to that part, would the Chief Constable be able to use the constables against the will of the County

Council? If so, this proposition was most absurd.

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth) asked to be permitted to say a word or two in reference to the observations which had just fallen from the hon. and learned Gentleman (Mr. Firth). His hon. and learned Friend suggested that the Chief Constable appointed by the Quarter Sessions might issue a proclamation prohibiting the people going into a particular part of a district. The hon. and learned Gentleman knew perfectly well that no Chief Constable had power to issue any such proclamation. It was quite a commonplace of law that no proclamation issued by a Chief Constable had any effect as a proclamation in making that illegal which would be otherwise legal. That question had never been disputed. One or two observations had been made in regard to this clause, and one or two speakers had wandered off and had denounced the Government for pretending to give that with one hand which they took away with the other. He ventured to say that there was no ground for that statement in regard to this clause, but that it really was one which should be dealt with in the method adopted by the right hon. Gentleman the Member for Derby (Sir William Harcourt), who discussed this reasonably, as a somewhat difficult question for which a solution had to be found. One difficulty of the question had been indicated by a speech which was made in favour of the appointment of the Chief Constable being left to the elected Body, and it was said a person should be elected who was in sympathy with the feelings of the elected Body. He submitted that the question of the Chief Constable being in sympathy with the feelings of the elected Body had nothing to do with the discharge of his duties. In regard to the administration of the duties connected with the Criminal Law, it was the duty of the Chief Constable to use his best endeavours to put the Criminal Law in force, without regard to any question of what opinion any elected body might have regarding it. But in regard to the mere administrative part of the work of the police, that administrative part of the work would be controlled by the joint committee, which was contemplated in the second part of the clause. It had been said that the Justices had the control to a certain extent, and, according to well defined limits, of all constables who were engaged in the administration of the Criminal Law; but the Quarter Sessions had now, and would have when this Bill was passed, the special duty of watching over the administration of the Criminal Law, and surely it was advisable that the Court of Quarter Sessions should have the power of controlling that officer, who would have to direct the duty and services of the police at large, in the administration of those practically judicial powers, the administration of the criminal law, which must belong to the Quarter Sessions, which is judicial, and not to the elected Body, which is administrative. It had been said that the Chief Constable might say he wanted a certain number of men, and that the elected Body might refuse to give them to him. That was quite possible, though he thought that elected Councils would not be very likely to refuse a responsible officer the services of sufficient numbers to execute the duties which were cast upon him; but, if that were so, the Chief Constable would have the duty of carrying out the administration of the Criminal Law with such means as were given to him. He (Sir Edward Clarke) submitted to the Committee that really the principal part of the duty of the police—that was to say, that part which was connected with the enforcement and administration of the law—would still be done under the control and direction of the Quarter Sessions, and, therefore, it was reasonable that the Quarter Sessions should have that security for the proper administration of law within the area for which it was responsible, which it would obtain by having the nomination and control of the Chief Constable.

MR. HENRY H. FOWLER (Wolverhampton, E.) said, he desired to ask hon. Gentlemen opposite, who had had great experience in serving on Police Committees, as well as Gentlemen sitting upon the Opposition Benches, who were familiar with the working of Watch Committees—he wished to ask them, apart from all Party considerations, in regard to this question, how this clause would really work? How was it possible to administer the police force in the way which this clause pointed out? He could quite understand the views and policy

of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin); they were perfectly intelligible, they were justified by precedent, and he believed they would work admirably well in practice. The right hon. Gentleman would put the police under the complete control of one Body—namely, the Quarter Sessions, who had had that control previously, and there was no reason to believe that there would be any conflict in the work. He could quite understand the adoption of the principle advocated on the Opposition side of the House—namely, placing the police under Watch Committees appointed by the Councils. That also would work, and he believed it had worked, satisfactorily in towns. Now, let them see what the proposals of the Government amounted to, and how they would work. They had, first, one Body, which was to levy the police rate, which was to find the money, which was to be responsible for the financial departments of the police; and they had, secondly, another Body, which was to be composed partly of the elected Body and partly of the Justices, who were to have, to a certain extent, the control over the police, which at present was exercised by the Quarter Sessions. But that Body so constituted, novel in its conception, novel in its constitution, was nevertheless to find itself crippled in the exercise of its powers by being put in the position of having the Chief Constable absolutely independent of it. What control could the joint committee have over the police if the Chief Constable was able to set them at defiance, and to appeal to some other Body behind their backs? He put it to hon. Gentlemen who had any experience of work of the kind, whether such a system would work, whether a Chief Constable, who was like many other public officers, could be kept, he would not say, in a state of subordination, but in the state of discipline in which he ought as well as all other public servants to be, if one Body was to control the police force and another Body was to control the Chief Constable? Would they apply such a theory in the Army and Navy; could they point out any precedent in any department of English public life for such a one-sided, useless, and futile mode of controlling the police force. The right hon. Gentleman the President of the Local Government Board said they should put the control of the police constable where the responsibility of the maintaining the peace lay; but that was just what they did not do in the case of the large towns. There the control of the Chief Constable and the responsibility of the peace had been permanently severed, and the right hon. Gentleman had no illustration to give that that severance had been productive of evil results. The hon. and learned Solicitor General was quite right when he said that the magistrates were responsible for the preservation of the peace. Let him (Mr. Henry H. Fowler) give an illustration which came to his own knowledge. When he had the honour of being the Mayor of the town which he now represented, a disturbance of the peace was apprehended, so great a disturbance that application was made to the Home Secretary to direct the commander of the Northern District to send a troop of soldiers into Wolverhampton. The magistrates met; the Town Council or the Watch Committee had nothing to do with the preservation of the peace. At that critical moment, the whole control of the police and of the Chief Constable was in the hands of the Mayor and the magistrates. They sat there during the greater part of the night, and they were responsible for preventing, and happily they did prevent, any outbreak. But there was no conflict, no difficulty in the management, either of the police or of the Chief Constable, although the Chief Constable was appointed by the elected Body and paid by the elected Body. The Committee had decided that this was to be handed over to the joint committee. [*Cries of* "No, no!"] Well, it had decided it was not to be put in the hands of the County Council. He presumed the Government were going to stand to their proposal with reference to the joint committee; he presumed there would be no wobbling in that respect. He assumed that if the Government did stand firm, there could be no question that with the support they would receive from the Opposition side, the proposal for a joint committee would be carried. If the joint committee were appointed, and the Chief Constable placed in an absolutely independent position, there would certainly be a great deal of friction. After

all, the appointment of the Chief Constable was a question of patronage. The hon. Member for Wigan (Mr. F. S. Powell), who spoke with authority as representing the unanimous opinion of the largest and most influential body of magistrates in England, in objecting to this clause alluded to the large number of gentlemen who gathered together in Town Councils on the question of the election of a Chief Constable. He (Mr. Henry H. Fowler) did not think that the appointment of such an officer by a contested election was the best mode of selection. He thought that a small committee was the very best Body by whom such an official could be appointed. One of the powers it would exercise with the greatest efficiency and satisfaction would be the choosing of a Chief Constable without all the unpleasantness of a popular election. He attached far more importance to the control and the dismissal of the Chief Constable than to the appointment. If they were to have a Chief Constable in thorough sympathy with the Council they must have that authority at one with itself. He asked the Committee to support the Amendment.

MR. HOBHOUSE (Somerset, E.) hoped the Government would re-consider their decision on this point. Their proposal for the appointment of the Chief Constable was quite inconsistent with the proposal for a joint committee, and was, indeed, destructive of the system. If the Chief Constable were to be appointed by the Justices alone, he would be put in a difficult position with regard to the joint committee, half of which would be Justices and half not, and he would probably regard the Justices on that committee with very different eyes to those with which he looked at the other members. In giving the joint committee nominal control of the police, and in giving Quarter Sessions the real appointment and control of the Chief Constable, they were giving but a shadow to the joint committee and reserving the substance for Quarter Sessions. He therefore appealed to the Government, if they wished to carry out their proposal—which was defensible and perfectly legitimate—for a joint committee, to surrender on this point.

CAPTAIN COTTON (Cheshire, Wirral) said, he intended to support the Government in their proposal for a joint committee, but he hoped the Government would see their way to lumping the whole police body, including the Chief Constable, under the joint committee.

MR. W. H. JAMES (Gateshead) said, he failed to reconcile the decision at which the Government had arrived on this point with some of the declarations made by the right hon. Gentleman the President of the Local Government Board at an earlier stage of that Bill. Unless his (Mr. James's) memory failed him, the right hon. Gentleman then insisted in more than one of his speeches, that he trusted the people—indeed he gave expression to that sentiment at least half-a-dozen times. But now he came to the question of trusting the people in a practical manner he stepped aside. Having presided for a good many years in a southern rural constituency, he (Mr. James) had had opportunities of watching the operations of a Police Committee, and he had himself been a member of such a committee in Quarter Sessions. The fault he found with the system was one to which there could be little objection. It appeared to him that the police had really not enough to do. In many cases their numbers might be considerably reduced, and without wishing to be offensive to hon. Gentlemen opposite, he would point out that the police in the country often acted during the winter as assistant game keepers, and in the summer amused themselves in disporting at cricket matches. Now, if the numbers of the police were to be diminished, and the patronage of the Chief Constable also diminished, there would be friction at once between the Joint Authority——the County Council and the magistrates—and it would make confusion worse confounded. If hon. Members opposite really trusted the people, he wished they would bring themselves to believe that the people were just as much interested in the maintenance of law and order as they themselves were. The right hon. Gentleman the Member for Derby (Sir William Harcourt) in the early part of the evening said the County Councils would have very little to do. Well, he (Mr. James) was very much disposed to agree with him, and if they carried the clause in its present form and had a divided jurisdiction, he believed that not only would the County Council

have very little to do, but they would always be quarrelling amongst themselves like cats and dogs.

MR. KENRICK (Birmingham, N.) said, he wished to point out, as Chairman of the Watch Committee in a great borough, that the control over the Chief Constable meant there, practically, the modelling and control of the police force. The force was exactly what the Chief Constable made it, in the same way that a school was what the headmaster made it. To give, then, the appointment of the Chief Constable to a Body other than that responsible for the force, would be to cause a great deal of friction. In Birmingham, the appointment and control of the Chief Constable meant really the control of the police force. As the Government had set up a joint and efficient committee he hoped they would give them real powers.

MR. WHARTON (York, W.R., Ripon) said, he had served as Chairman of a Police Committee for nearly 20 years, and its action had simply been to advise the Chief Constable in matters relating to the administration and allocation of the force. Practically, the Chief Constable of a county filled the position of Colonel of a regiment, and he hoped that that would remain so. In all money matters, and on points as to the disposition of the force and the building of new police stations, he consulted with the Police Committee. That was especially so in his (Mr. Wharton's) own county, where they had a very large, dense, and shifting population. Men had frequently to be transferred from one portion of the county to another, and new police stations built. There seemed to be an idea amongst some Members of the Committee that the Police Committee had actual control over the police itself. That, however, was not the case in counties. There the control of the police force was in the hands of the Chief Constable. Hon. Members representing boroughs seemed to think the Chief Constable of the county and Head Constable of the borough held exactly the same kind of position. But that was not so; they were essentially different. In the borough, the Head Constable was under the command and control of the Watch Committee; in the county, the Chief Constable was, by Act of Parliament, the Watch Committee, and he was only advised by the Police Committee on matters relating to the administration and disposition of the force. Now, he would have been well satisfied if the Government had seen fit in their Bill to leave to the county magistrates the control of the police which they already possessed. He had listened with great respect—as he always did—to what fell from the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), who spoke with reference to what might happen in regard to trade organizations, and with respect to large gatherings of working men—say, in the North. Now, he did not want to rake up the past; but he remembered that on one occasion he saw the whole of a county in the hands of a miners' organization, and for one day the Miners' Union was fighting tooth and nail with the police. Six police stations were absolutely wrecked; 100 men were bleeding on that occasion, and one man was killed. The Durham police constituted as fine a force as ever existed, and they were looking to this House with great apprehension lest they should be transferred to other control. They were entitled to consideration. This ought not to be made a Party question, and he hoped the House would do its best, in the interests of the observance of the peace, to keep Party considerations out of it. Let the Committee consider well what they were about. Were they willing to transfer the police from the present administration to some new Body, as to whose future existence and success they knew nothing?

MR. RATHBONE (Carnarvonshire, Arfon) said, he quite agreed that that was not a Party question. What they wanted to do was to ensure the best chances for selecting the best Chief Constable to manage the police. They all agreed that Quarter Sessions had shown great ability in the management of affairs; but he would ask the right hon. Gentleman in charge of the Bill whether it was not a fact that the appointment of Chief Constables had been in the past the weak part of the management? Frequently, the appointment had been made practically by men who had taken no part whatever in the management of the county business; and he would ask, was not a good selection more likely to be made by a small committee than by the Court

of Quarter Sessions? In the past, it had been a question rather of personal influence than of selection; a large number of magistrates never took any part in the county business except when these appointments were to be filled, and the ruling power in making them was personal consideration.

MR. W. BECKETT (Notts, Bassetlaw) said, he differed from the Government on this question, as he was not in favour of the appointment of the Chief Constable remaining in the hands of the Court of Quarter Sessions. He would tell the Committee what his experience had been. Some few years since the appointment of Chief Constable was vacant in the West Riding of Yorkshire, with which he was connected, and it was a matter of notoriety that, some weeks before it was filled up, candidates made it their business to go round to every member of Quarter Sessions. The result was that some gentlemen were weak-minded enough to promise their votes beforehand. Some, of course, were sufficiently strong-minded not to do so. Well, the gentleman who was eventually chosen was selected mainly because he was blessed with 13 children. He had no intention of casting any reflection on the gentleman appointed. Comparisons were odious; but he wished to point out the extreme inconvenience and great demoralization arising from such a mode of election. Therefore, he was not in favour of the appointment remaining in the hands of Quarter Sessions. Neither did he much care about its being in the hands of the joint committee; but he should infinitely prefer it to be vested in the Home Secretary, as, if that were the case, they would have a much better chance of getting good men appointed without regard to their domestic circumstances. A variety of county appointments were made by the Home Secretary and the Lord Chancellor. As the less of two evils, he did not object to the appointment being made by a joint committee of the County Councils and the Magistrates, though he should prefer to place the duty on the Home Secretary; but nothing could be more objectionable than the present system of appointment by 200 to 300 magistrates. He agreed with the right hon. Gentleman the Member for Halifax that there could be no objection to allowing the County Councils to fix the salary of the Chief Constable.

VISCOUNT CRANBORNE (Lancashire N.E., Darwen) said, he could not approve the proposal to vest these appointments in the Home Secretary, and he sincerely hoped the Committee would weigh well the words which had fallen from the lips of his hon. Friend the Member for the Ripon Division of Yorkshire (Mr. Wharton), who implied that the control of the Chief Constable meant really the control of the police. The hon. Gentleman who spoke last (Mr. W. Beckett) referred to what he considered to be a gross abuse in the case of a par-particular appointment. No doubt, such things did occur; but he would venture to remind the Committee that the clause provided for the appointment, control, and dismissal of the Chief Constable, and that, even if a mistake were made in the appointment, great harm was not necessarily done. What, however, would constitute a great evil would be if the Chief Constable did not consider himself secure in carrying out the duties laid upon him, as he would feel if he were liable to dismissal for doing what he believed to be his duty. It was just that danger which some of them feared might happen if the Chief Constable were under the control of and subject to dismissal by an elective Body. He hoped that hon. Members would fully realize what they were doing in voting for this particular Amendment, which referred to the question of the appointment of the Chief Constable. They were not dealing with the question of dual control; that point was entirely separate. He believed every Member of the Committee would feel the importance of leaving the appointment of the Chief Constable in the hands of the Court of Quarter Sessions, and he fully agreed with the views of the hon. Gentleman the Member for the Ripon Division that the control of that appointment meant the real control of the force. He should, therefore, vote for the proposal of the Government.

THE CHAIRMAN: Order, order! I should like to point out that the hon. Member for Merionethshire (Mr. T. E. Ellis) moved to leave out certain words down to "aforesaid" in line 17. But, there being several other Amendments, I propose to put the words "nothing in that Act" shall stand part of the Clause. If I did not do that, the subsequent Amendments would be shut out.

MR. JAMES STUART said, the question really, then, was not the simple one put by the noble Viscount, but it was complicated by the question of dual control. Perhaps it would be better for his hon. Friend the Member for Merionethshire (Mr. T. E. Ellis), with the permission of the Committee, to withdraw his Amendment, in order to facilitate a vote being taken on the more important question.

MR. T. E. ELLIS: I moved to omit the words from "nothing" to "Chief Constable," in line 13.

THE CHAIRMAN: Order, order! I understood the hon. Member to move the Amendment on the Paper. If he withdraws that I will put the other.

MR. BRUNNER (Cheshire, Northwich) said, he was afraid that Amendment would bar his Amendment.

MR. CHAPLIN (Lincolnshire, Sleaford) said, that if the Amendment to omit the words down to "Chief Constable" were put, it would prevent the Amendment of his hon. and gallant Friend the Member for North-West Sussex (Sir Walter B. Barttelot) being discussed.

THE CHAIRMAN: The hon. Member moved, and so I stated, to leave out the words from "nothing" to "aforesaid;" but I only propose to put it down to "Chief Constable," so as to enable the other Amendments to be discussed.

MR. CHANNING (Northampton, E.): It might be a greater convenience to the Committee if the Amendment which stands in my name were now discussed.

THE CHAIRMAN: Order, order!

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 5, line 11, to leave out the words "nothing in this Act," &c., down to "the appointment of the Chief Constable."

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. ASQUITH (Fife, E.) said, the question really involved in the Amendment was the dual control of the police, and he ventured to submit to the Committee that it was impossible to discuss the proposal reserving to the Court of Quarter Sessions the power of appointing, controlling, and dismissing the Chief Constable, without considering what was necessarily involved in it—namely, the whole question of the control and management of the police force. The Government proposal, as it stood, involved an extraordinary anomaly. It proposed that for the future the police should be paid by one Body, officered by another Body, and controlled by a third Body. When they came to examine it, he thought that the Committee would discover that the proposal of the Government was of a much simpler character. It really was that the police should be paid by an elective Body representing ratepayers, but that the whole control and management of the police should be vested in the magistrates sitting in Quarter Sessions. He was very glad to hear from the hon. Member for the Ripon Division of Yorkshire (Mr. Wharton), who spoke on that matter with the authority of great experience, such a candid and accurate statement of the real facts. He would like to call the attention of the Committee to the material parts of the Act of 1839, which regulated these matters, and which, even if this Bill were passed, would continue to regulate them. That Act, after providing that the Chief Constable should be appointed by the Justices in Quarter Sessions, laid it down that the Chief Constable should appoint other constables, and at his pleasure should dismiss all or any of them, and that he should have the general disposition and management of all constables so appointed, subject to such lawful orders as he might receive from the Justices generally in Quarter Sessions assembled. Very well. Hon. Gentlemen opposite need not be so apprehensive about the dual control given by the Bill, because, after all, the dual control was a mere sham, and nothing but a sham, seeing that the Government reserved to Quarter Sessions the powers they already possessed, and the Chief Constable would be enabled in the future to act as he now did, subject to the orders of the magistrates. It was most important that the Committee and the country should understand the real character of the proposal under consideration; and when they supported the Amendment of his hon. Friend to omit that part of the clause, they were really deciding the question which was at the root of the whole matter, and they were determining in whose hands the control and management of the police should be for all time

to come. Something had been said—he believed by his hon. and learned Friend the Solicitor General—as to the importance and value of the police being subject to judicial authority. A certain amount of confusion of thought appeared to prevail on this matter. The management of the police by Quarter Sessions under the existing Acts was a thoroughly administrative function, and had nothing whatever to do with judicial authority. If the management of the police were transferred to the elected Councils, as they asked the Government to transfer it, the magistrates in Quarter Sessions, or rather the magistrates individually, would have precisely the same power as the Common Law gave them to call on any police constable in the county to execute the law and maintain order throughout the district. It was, therefore, wholly beside the mark to draw, as the hon. and learned Member for Ripon (Mr. Wharton) did, on historical reminiscences as to disorders that existed in the county of Durham at one time. The fact was that in the future, as now, the Justices would be able to call on the police to assist them in the execution of the law, and all the Government were asked as to these elective Bodies was that as they had conceded to them the duty of providing the funds out of which the force was to be paid, so they should give them the administrative and executive powers which at present were vested in Quarter Sessions, and which had nothing whatever to do with judicial functions. He, therefore, hoped the Committee would support the Amendment of his hon. Friend, and remove this patent blot from the Bill.

MR. E. B. HOARE (Hampstead) said, he could not hope that the Government would attend to any words that might fall from him; but he could not help thinking that the position they were now in was very anomalous. There were three courses open to the Government. They could either hand over the police to the magistrates—as many persons on that (the Ministerial) side of the House thought they should—or hand them over to the County Councils—as hon. Gentlemen on the other side thought they should—or they could hand them over to joint committees, which was what they themselves wished to do. It did seem to him that if the Government were right in their proposal to hand the police over to a joint committee, they should also hand over to that committee the control of the Chief Constable. If the Army were handed over, so, also, should the command of it be handed over. He spoke with some diffidence on the matter; but he felt that the position of the Government was so illogical that he could not help hoping that even now, at the eleventh hour, they would accede to the Amendment.

MR. NORTON (Kent, Tunbridge) said, he thought the question should be allowed to stand over until the Committee had decided whether the control of the police should be placed in the hands of the county magistrates or in those of a joint committee.

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale) said, it seemed to him that there was a great deal in what had fallen from the hon. Gentleman who had just sat down to recommend it to the Committee. They had not yet decided whether any powers of control over the police were to be vested in a joint committee, and until that point had been decided he scarcely saw how they could decide on the matter now under discussion. He did not know how it could be done; but it certainly seemed to him desirable that the Committee should come to some decision as to the constitution of the joint committee to whom they were to refer certain powers for the management of the police. If the committee were properly constituted to control the police, it seemed to him only logical that the appointment of the Chief Constable should be placed in their hands. But until they had decided on the appointment of a joint committee, it certainly appeared rather difficult to decide the point they were now discussing.

SIR WILLIAM HARCOURT said, the proper course would be to omit these words for the present. That would meet the views, certainly, of the majority of the House, because if the House were to decide against a joint committee, then the police would remain under the Quarter Sessions, and they would have the appointment of the Chief Constable, and the words under discussion would not be wanted at all. If the Committee, on the other hand, should determine in favour of the joint committee, that committee would have the control both of the police and the

Chief Constable. Whatever view they took of the matter, and whatever the view of the Committee might be, the question in debate would be settled by that decision. All, therefore, they had to do now was to omit these particular words, and then take the decision of the Committee on the question of the joint committee. The other matter would follow as a matter of course.

MR. CHAPLIN said, he agreed with what had fallen from the noble Lord the Member for Rossendale. He had thought for some time that they were putting the cart before the horse in the discussion they were engaged in. But he did not quite follow the right hon. Gentleman the Member for Derby in his suggestion as to the way in which they ought to proceed. It seemed to him (Mr. Chaplin) that the best way for them to arrive at a decision as to whether or not the police were to be left in the hands of a joint committee would be for the Amendment to be withdrawn, and for a decision to be taken on the proposal of the hon. and gallant Baronet the Member for North-West Sussex (Sir Walter B. Barttelot). If that were settled in favour of the Amendment, then, in the next line of the clause, the question would follow as to whether or not the Chief Constables were to be dealt with in the same way. If this suggestion should find favour with the Committee, it certainly seemed to him a practical way of dealing with the subject.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he was afraid that the suggestion of the right hon. Gentleman was hardly one which, according to the Rules of the Committee, they could adopt. It would not be possible to go back on the words already passed. He thought, however, that the suggestion of his hon. Friend the Member for the Tunbridge Division of Kent (Mr. Norton) and his noble Friend opposite (the Marquess of Hartington) was one they ought to adopt, without in the slightest degree prejudicing the question before them. They should allow these words to go out for the present, and then, at once, proceed to the consideration of the more important question as to whether the control of the police was to be in the hands of the magistrates, or to be put in the hands of a joint committee. When that question was decided, it would be quite in their power to decide afterwards the question they had been discussing.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, that if that course were adopted, it would, perhaps, be as well to leave out more words than the immediate proposal contemplated.

MR. JAMES STUART said, he hoped his hon. Friend would not withdraw his Amendment, because if these words were not omitted, and if afterwards they did not omit the rest of the clause, all these powers would remain in the hands of the Quarter Sessions as before; but if these were omitted, and they retained the rest of the clause, then it was quite clear they would have gained what was the obvious desire of the majority of the House—namely, a declaration that there should be one and the same control over the Chief Constable and the police. He, therefore, ventured to express a hope that the hon. Gentleman would continue to press his Amendment, so that it might be either carried or lost.

SIR WILLIAM HARCOURT asked how the Chairman would put the Question?

THE CHAIRMAN said, the Question would be put so as to safeguard the Amendment standing in the name of the hon. and gallant Baronet the Member for North-West Sussex. If too many words were omitted, the hon. and gallant Baronet would not be able to move his Amendment in the special form in which it stood on the Paper, but would have to raise the question in some other form.

SIR WILLIAM HARCOURT asked whether the hon. and gallant Baronet (Sir Walter B. Barttelot) could not allow these words to be omitted, and then so contrive his Amendment afterwards as to render it admissible?

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, it appeared to him that ift he words were struck out it would be altogether impossible for him to raise the question at all, because the Committee would then have decided that the Chief Constable should not be in the hands of the magistrates, and they would also have decided that there should be a dual control. The right hon. Gentleman the Member for Derby knew perfectly well what these ques-

tions were, and that if a Member missed his opportunity of making a statement and taking a Division on that which he believed to be of the utmost importance in the interests of the country he might never obtain it again. His view was that the police should remain in the future as they had been in the past—in the hands of the magistrates. He had contended for that from the beginning—since he spoke on the second reading; and he had not deviated one hair's-breadth from his earliest declaration. So far as he knew, he had always had the courage of his opinions, most certainly when he believed it to be in the interests of his country. He should, therefore, like to have an opportunity of placing before the Committee the views he so strongly entertained on this question.

MR. JAMES STUART: I rise to Order——

MR. W. H. SMITH said, he understood it to be the wish of the Committee that his hon. and gallant Friend (Sir Walter B. Barttelot) should have an opportunity of raising the question in the most distinct form, and if he were unable to do so under the circumstances now stated, the best course would be to move to report Progress, in order that he might himself place on the Paper an Amendment to carry out the object he desired. The subject the hon. and gallant Baronet wished to deal with was, no doubt, a more important one than that now under consideration.

MR. JAMES STUART said, he rose to a point of Order. He desired to point out that the hon. Gentleman who stood in the way of this Question being put could equally well get his point raised before the House by moving the rejection of the remainder of the clause. The hon. and gallant Member could add before the words "Chief Constable" words which would hand the rest of the police over to the control of the Quarter Sessions. If, after the Amendment before the Committee should have been passed, the hon. and gallant Baronet moved the rejection of the last part of the clause, he would, if he succeeded in his Motion, practically do the same thing as he desired to do by his present Amendment, for the control of the rest of the police would vest in the Quarter Sessions. He (Mr. James Stuart) therefore hoped that there would be no adjournment of the debate now, and that they would be allowed to proceed to a Division on the question they had debated for a long time, and which was now ripe for decision.

MR. CHAPLIN said, he ventured to differ from the hon. Gentleman who had just spoken. As a matter of fact, the Committee had not debated for a single moment the question whether the police should be under the control of a joint committee. The question the hon. and gallant Baronet (Sir Walter B. Barttelot) was asked to settle was the question as to the control of the magistrates. ["No, no!"] Yes; and, for his (Mr. Chaplin's) part, he sincerely hoped the hon. and gallant Baronet would accept the suggestion of the right hon. Gentleman the First Lord of the Treasury. It seemed to him (Mr. Chaplin) that they had got into a very considerable muddle, and that it was very desirable that they should have a fresh and full opportunity of discussing this question of the police. In order that they might have that opportunity, he begged leave to move that the Chairman report Progress, and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Chaplin.*)

SIR WILLIAM HARCOURT said, he hoped the Motion would not be pressed. He did not agree with the right hon. Gentleman (Mr. Chaplin) that they had got into a muddle at all. The House seemed to be entirely agreed on one point—namely, that the authority over the Chief Constable ought not to be separated from the Police Authority. They differed, no doubt, as to what the Police Authority ought to be; but they were all agreed that the appointment of the Chief Constable should rest with the Police Authority. Well, having now discussed the question of the Chief Constable for some time, all they had to do was to get that out of the way and leave the road clear for the discussion as to who was to be the Police Authority. There certainly was no desire to prevent the hon. and gallant Baronet the Member for North-West Sussex from raising the question in the clearest form, but it would be raised on subsequent words. All the hon. and gallant Baronet would have to do would be, when those words

came on, to oppose their addition to the clause. If that was so, why should they allow all the time they had devoted to the discussion of this particular point now before the Committee to be wasted?

MR. RITCHIE said, he believed the right hon. Gentleman was under a misconception when he said that the Committee were entirely agreed that whatever might be the authority for the control of the police the appointment of the Chief Constable should rest there. He did not agree with all that—that the matter was decided unanimously, or that they were anything like unanimous upon it. What he believed was that it was the expressed wish of the Committee that the question of who was to have the control of the police should be decided before that of who was to appoint the Chief Constable. ["No, no!"] That was the proposal of the noble Lord the Member for Rossendale (the Marquess of Hartington), and it was supported by some of his (Mr. Ritchie's) hon. Friends behind him. The Government had thought that, on the whole, this was not an unreasonable proposition to make. The question then arose how it could best be done. It was suggested that the first words of the clause should be left out, on the clear understanding that, whatever the decision was which the Committee might arrive at as to the control of the police, the matter would be revived again in another form. That was the distinct understanding. Then they arrived at the question of the best mode of amending the clause so as to decide the question of controlling the police; and it was because there was some doubt as to the best means of doing that, that the Motion to report Progress was made. The Government would not consent to report Progress on the understanding that the same Body that had the control of the police was to have also the appointment of the Chief Constable; but only on the understanding that the question of the Body into whose hands the control of the police was to be given should be decided, so that the Committee might afterwards come to a conclusion as to the Body into whose hands should be committed the appointment of the Chief Constable.

Question put, and *agreed to.*

Committee report Progress; to sit again *To-morrow*, at Two of the clock.

Sir William Harcourt

CUSTOMS (WINE DUTY) BILL.

[BILL 293.]

(*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson.*)

COMMITTEE. [*Progress 15th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 4 (When claim to be made and proved, and on what value).

Amendment proposed,

In page 2, line 4, to add—"The said Commissioners may require that no consignment or parcel of wine as to which a claim is made under this section shall include wine of different values."—(*Mr. Chancellor of the Exchequer.*)

Question proposed, "That those words be there added."

MR. S. WILLIAMSON (Kilmarnock, &c.) said, he would suggest that "invoice" would be a better term than "consignment."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he would be quite prepared to add the word "invoice."

Amendment proposed, to amend the proposed Amendment, by adding after the word "parcel," the words "or invoice."—(*Mr. Chancellor of the Exchequer.*)

Question, "That those words be there inserted," put, and *agreed to.*

Amendment, as amended, *agreed to.*

MR. CAVENDISH BENTINCK (Whitehaven) said, he had given Notice of a Motion to omit the clause; but he had received an intimation from those who in this matter he represented that having regard to the fact that the principle of an *ad valorem* duty was established by the 3rd clause, objectionable and remarkable as that was, yet, it being established, they had requested him not to pursue any further his objection to the Bill. He should not, therefore, move any of the Motions for the omission of clauses standing in his name.

Clause, as amended, *agreed to.*

Clause 5 *agreed to.*

Clause 6 (Power to buy for the Crown).

MR. S. WILLIAMSON (Kilmarnock, &c.) said, he thought that to make the

meaning quite clear, some words were required, so that the importer might not think the price meant exclusive of bottling and packing.

Amendment proposed, in page 2, line 15, after the word "gallon," to insert the words "including cost of bottling, packages, and all charges"—(*Mr. S. Williamson.*)

Question proposed, "That those words be there inserted."

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, this point had been carefully considered by the Legal Officers of the Customs, and they were of opinion that, as the clause stood, it quite conveyed what the hon. Member wished to accomplish, that seized goods included all packages; and the words proposed would rather tend to imply a doubt where no doubt in fact existed, and rather complicate than clear up matters.

MR. S. WILLIAMSON said, that, though not quite satisfied, he was quite ready to withdraw his Amendment, deferring to legal opinion.

MR. CHILDERS (Edinburgh, S.) said, he had no wish to oppose the clause; but he would renew his suggestion that when the Customs elected to buy goods valued for *ad valorem* duty they should do so with an addition of 10 per cent.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he was aware his right hon. Friend made the suggestion the other day; but he did not see why they should be influenced by the considerations then put forward, and that a man should pay an additional 10 per cent when the goods were of the declared value of 30*s.* a-dozen. Surely it would be illogical to do so.

MR. CHILDERS said, he did not press the matter; but the rule was that formerly in force here, and was universally in force in foreign countries.

MR. GOSCHEN said, there was a distinction between a fixed duty as in this case and a fluctuating *ad valorem* duty, and in this case the value was more easily ascertained.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 7 *agreed to.*

Clause 8 (Definition of market value).

On the Motion of Mr. CHANCELLOR of the EXCHEQUER, the following Amendments made:—In page 2, line 25, after "wine," insert "purchased and;" in line 26, after "paid," insert "or contracted to be paid."

MR. S. WILLIAMSON (Kilmarnock, &c.) said, he had an Amendment to the clause, and the right hon. Gentleman the Chancellor of the Exchequer had an Amendment of the same import. Believing, however, that his own form of words was the better, he would move the Amendment.

Amendment proposed,

In page 2, line 26, after the word "him," to insert the words "in bond, or the cost to him bottled in cases or packages, including freight and all foreign transit charges to place the wine in bond at the port of discharge."—(*Mr. S. Williamson.*)

Question proposed, "That those words be there inserted."

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, practically this Amendment would be accomplished by the words his right hon Friend proposed to insert subsequently. He would point out that if a case of wine imported by a private consumer was to be admitted at its market value in bond, it would not have been necessary to separate the two cases of wine imported by a consumer and by a merchant. But it was felt that in the case of the consumer the invoice and documents would show exactly what he was to pay for it, and probably the cost so determined would be rather higher than the cost in bond as imported by a merchant or trader. The question had been carefully considered, and he was advised by the Legal Officers that the words after "Customs," "including freight and all other charges," would accomplish what the hon. Member desired.

MR. S. WILLIAMSON said, he would admit the words were to the same import; but he thought his Amendment necessary, because, although there was the word "consumer," there was no guarantee that the consumer was not a small trader also. Still, he had no wish to press his Amendment.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he could assure the hon. Member that the words, "all

other charges," included the point he alluded to.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 2, line 30, after the word "Customs," to insert the words, "but including freight and all other charges."

Question, "That those words be there inserted," put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 9 *agreed to.*

Clause 10 (As to medicated wine).

MR. S. WILLIAMSON (Kilmarnock, &c.) said, he supposed that all wines taken for health were in a certain sense medical, but he proposed that wines of a special medical character should bear a descriptive label as such.

Amendment proposed, in page 2, line 4, after the word "wine," to insert the words "and labelled as such."—(*Mr. S. Williamson.*)

Question proposed, "That those words be there inserted."

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, he thought the words proposed did make the intention more clear.

MR. CAVENDISH BENTINCK (Whitehaven) said, he did not object to the Amendment; but he thought his right hon. Friend ought to explain what these extraordinary compounds were—"wine of a character usually sold as medicated or medical wine." He had never heard of it. The Chancellor of the Exchequer might give some justification for introducing these compounds without the payment of duty. His own idea was that if he made an exception at all, he would subject these compounds to a double duty.

Question put, and *agreed to.*

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, his right hon. Friend need not be afraid that these wines would ever be put on the table, or consumed with pleasure by any person. They were not wines, but drugs. Practically they were certain decoctions prescribed by doctors, and commonly known as medicated wines.

MR. CHILDERS (Edinburgh, S.) asked, were there really any such among sparkling wines?

MR. GOSCHEN said, he was advised there was a small proportion.

Question put, and *agreed to.*

Clause 11 (Commissioners of Customs to act under Treasury).

MR. CHILDERS (Edinburgh, S.) said, his impression was that the Customs always acted under the directions of the Treasury. What, then, was the object of the clause?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he really was unable to give a thorough explanation. If the right hon. Gentleman thought the clause would be better omitted, he had no objection; but, at the same time, the Solicitors to the Customs were very able men, and they suggested the clause. Still, he was bound to say he had no strong argument to support it.

MR. CHILDERS said, not knowing why the draftsman had inserted the clause, he could not take the responsibility of moving to omit it. Perhaps the right hon. Gentleman would satisfy himself by the Report, that the words were necessary. If they were not necessary, their effect would probably be mischievous.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, it was true the Customs always acted under the control of the Commissioners of the Treasury; but he understood that, on several occasions when these words had not been inserted, the House had demanded that they should be. The words were inserted rather to meet what was believed to be the wish of the House than because there was really any necessity for them.

MR. CHILDERS said, the House had often made mistakes by the insertion of superfluous provisions in Bills. But he was content to let the matter rest until the Report stage.

MR. GOSCHEN said, he would prefer not to leave anything over for Report, and the clause had better be omitted.

Motion made, and Question, "That the Clause be omitted,"—(*Mr. Chancellor of the Exchequer,*)—put, and *agreed to.*

Clause 12 (Repeal) *agreed to.*

SIR ROBERT FOWLER (London) said, the new clause he had to propose provided that in case an importer should be obliged to produce invoices, books, or documents in confirmation of his declaration of value, he should not be bound to produce such for the inspection of any Customs official who was also director, manager, or in any way engaged in the management of any co-operative association or firm dealing in wines and spirits. The object of the proposal was to meet the very natural feeling in the trade, that their books and trade transactions should not be submitted to a possible rival in trade. He would formally move the clause, though he would not press it now; but he would ask the Chancellor of the Exchequer to consider the grievance and the manner in which it could be met.

New Clause (Importer not bound to produce invoice and documents to directors of co-operative stores,)—(*Sir Robert Fowler,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he quite appreciated the object of his hon. Friend and of those who had set him in motion. There doubtless would be an impropriety if traders were obliged to exhibit their books and papers to the examination of possible rivals in trade. But he would go somewhat further, and say it was not a satisfactory position for an officer of the Customs to be an official in the management of co-operative stores. He would undertake to look into the matter; but he should be sorry to insert a clause of this character in the Bill, for it might fairly be regarded as a slur upon the Customs Service. He would like to take the opportunity to testify to the honesty and steady fidelity with which officers of the Customs Service discharged their duties; there was no branch of the Civil Service upon which more reliance could be placed. It would appear to cast an undeserved slur upon the Service, to insert these words in an Act of Parliament. He would, however, inquire, and see if by regulation it was expedient to remove all possibility of officers being suspected of dealing with invoices, &c. for trade purposes.

Motion, by leave, *withdrawn.*

Bill *reported;* as amended, to be considered *To-morrow*, at Two of the clock.

MERCHANT SHIPPING (LIFE SAVING APPLIANCES) BILL [*Lords*].

(*Sir Michael Hicks-Beach.*)

[BILL 290.] SECOND READING.

Order for Second Reading read.

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS-BEACH) (Bristol, W.) said, he did not know whether the House would be disposed to take the second reading of the Bill. It was prepared in accordance with the Report of the Select Committee of last Session which inquired into the means of saving life at sea. Shipowners, skippers, and seamen had framed and submitted to the Board of Trade suggestions for the preservation of life on passenger ships, and the outcome was the Bill, the principle of which, he believed, would recommend itself to the House. He should be happy to comply with the desire of hon. Members interested in the subject by referring the Bill to a Grand Committee, or taking the Committee in the House with full opportunity for discussion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Michael Hicks-Beach.*)

Objection taken.

Second Reading *deferred* till *Thursday.*

MOTIONS.

WAYS AND MEANS.

CONSOLIDATED FUND (NO. 2) BILL.

Resolution [15th June] *reported* and *agreed to:*—Bill *ordered* to be brought in by Mr. Courtney, Mr. Chancellor of the Exchequer, and Mr. Jackson.

Bill *presented*, and read the first time,

ALLOTMENTS ACT (1887) AMENDMENT (NO. 2) BILL.

On Motion of Major Rasch, Bill to amend "The Allotments Act, 1887," *ordered* to be brought in by Major Rasch, Sir Edward Birkbeck, Mr. Jesse Collings, Mr. Round, Mr.

Story-Maskelyne, Colonel Gunter, Mr. Fulton, and Lord Henry Bentinck.

Bill *presented*, and read the first time. [Bill 299.]

TRUSTEE SAVINGS BANKS BILL.

Ordered, That a Committee be appointed to inquire into and report on (1) the administration of Trustee Savings Banks under "The Trustee Savings Banks Act, 1863;" (2) the powers, duties, and liabilities of the Trustees, Managers, and Officers of Trustee Savings Banks; (3) the relations of Trustee Savings Banks to the Commissioners for the Reduction of the National Debt, the Registrar of Friendly Societies, and other Offices or Departments of the Government, so far as these relations affect the internal management of the affairs of the said Banks; and (4) the alleged assumption by certain Trustee Savings Banks of designations calculated to mislead depositors.

Ordered, That the Committee do consist of Seventeen Members.

The Committee was accordingly *nominated* of,—Mr. Shaw Lefevre, Mr. A. H. Acland, Mr. John Ellis, Dr. Clark, Mr. Howell, Mr. Kenrick, Mr. Cameron Corbett, Mr. Stuart-Wortley, Mr. Whitley, Mr. Brodie Hoare, Mr. R. G. Mowbray, Sir John Dorington, Mr. James Campbell, Mr. Bartley, Sir John Kennaway, Mr. William Redmond, and Mr. Hayden, with power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Chancellor of the Exchequer.*)

House adjourned at twenty-five minutes before One o'clock.

HOUSE OF LORDS,

Tuesday, 19th June, 1888.

MINUTES.]—SAT FIRST IN PARLIAMENT—The Lord Hatherton, after the death of his father.

SELECT COMMITTEES—Standing Orders of the House of Lords, *nominated*.

PUBLIC BILLS—*First Reading* — Victoria University * (163).

Committee — *Report* — National Debt (Supplemental) (155).

Report—Universities (Scotland) (*on re-comm.*) (133-165).

PROVISIONAL ORDER BILLS—*First Reading*—Local Government (Poor Law) (No. 7) * (164).

Second Reading—Local Government (No. 3) * (139); Local Government (No. 4) * (140); Local Government (Poor Law) (No. 6) * (141); Local Government (Gas) * (142); Tramways (No. 1) * (143).

Report—Elementary Education (Birmingham) * (101).

Third Reading—Local Government (Ireland) (Ballymoney, &c.) * (97); Metropolitan Police * (134), and *passed*.

UNIVERSITIES (SCOTLAND) BILL.

(*The Marquess of Lothian.*)

(NO. 133.) REPORT OF AMENDMENTS.

Amendments (on Re-commitment) *reported* (according to order).

Clause 3 (Definitions).

THE EARL OF CAMPERDOWN, in moving the omission of the last subsection of the 3rd clause—

"Students' representative council means students' representative council in any University, constituted in such manner as shall be fixed by the Commissioners under this Act,"

said, the Bill proposed to impose on the Commissioners the duty of laying down regulations for the constitution and functions of the Students' Representative Council, and it proceeded to enact by another section that "the Rector may, before he appoints an assessor, confer with the Students' Representative Council." That was to say, the Bill virtually directed the Lord Rector to consult the Students' Representative Council with regard to the appointment of his assessor. That was the only duty imposed on the Representative Council by the Bill. He submitted that it was not desirable to constitute a regularly organized Representative Council of students for that purpose only. It was a very difficult duty to impose on the Commissioners. The undergraduates or students were a fluctuating body. Every few weeks there were changes in their number, and it would be very difficult indeed for the Commissioners to lay down satisfactory rules for organizing them. But, quite apart from that fact, the one duty they were to discharge under this Bill was, perhaps, the duty which, of all others, they were not competent to discharge—namely, to select an assessor who was to be a practical man, who was to assist in managing the property of the University, and who must necessarily have business qualifications. He thought the students, of all bodies they could mention, would have the least facilities of knowing who were the men possessing these qualifications. Further than that, he considered a proposal of this sort was objectionable in principle. It was quite true that the students of the Scottish Universities had enjoyed from time immemorial the privilege of electing their Lord Rector, and no one would think of taking it from

them; but here they were proposing to recognize the students as a part of the University, just as much as they recognized the Senatus or the General Council. Such a proposal had never been made with reference to any University in any other part of the world, nor, so far as he knew, up to the present time had any such proposal been made with regard to the Scottish Universities. He hoped the noble Marquess would give some very strong reason for introducing such a change. When he (the Earl of Camperdown) mentioned the matter the other day, the noble Marquess did not on that occasion even allege that any great advantage would be obtained by it. He hoped their Lordships would not sanction this change, because it was urged that it was not likely to do any great harm. The change was one of principle, and if they made it, let them by all means go a great deal further, and say that the Representative Council of the students were to appoint an assessor. Their Lordships would see that hereafter, the body of students having been once recognized, their Representative Council would, no doubt, make claim to be recognized in other matters connected with the discipline of the University. He did not think it was to the advantage of the Scottish Universities that such a principle as this should be introduced. When he was an undergraduate he should have thought this a very improper proposal, and he held the same view of it now.

Amendment *moved*,

In page 2, line 13, leave out "Students' representative council means a students' representative council in any University, constituted in such manner as shall be fixed by the Commissioners under this Act."—(*The Earl of Camperdown.*)

THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN) admitted that there was a great deal of force in what the noble Earl had said. He also admitted that the principle was a new one. At the same time, he could not help thinking it would be a great advantage if the students were recognized in the fashion proposed by the Bill. The Representative Council had, in his opinion, been productive of great good in the way of promoting order and bringing about a better and higher tone among the students themselves. That, he thought, ought to be encouraged in every way, and he did not see any better way than that which the Bill proposed. The noble Earl said there would be only one duty imposed on the Representative Council. He quite admitted that, but it did not follow, because only one duty was imposed in the Bill, that other and more useful work might not be done by the Council. The sense of responsibility which they would have by statutory recognition like this would have great effect upon such a Body. He could not, therefore, accept the Amendment, and hoped the noble Earl would not press it.

THE EARL OF GALLOWAY said, he agreed with his noble Friend opposite that it was a mistake to put the students in this position of being advisers of the Lord Rector in the choice of his assessor. He hoped the noble Marquess would even yet see his way to consent to the omission of the sub-section. He asked whether the word "may" in the clause would not be read as meaning "must?"

THE EARL OF ROSEBERY said, with regard to the point raised by his noble Friend, he did not think it would have any practical effect if the noble Marquess were to consent to the omission of the sub-section, because, as a matter of fact, an indication had been given by the introduction of the clause in the Bill. He was not arguing whether it was right or wrong to have introduced the clause, but they might depend upon it that, after this, the students would always exact from candidates for the Lord Rectorship a pledge that he should consult them or practically listen to their voice completely in the appointment of his assessor. Therefore, whether they took in the clause or not, the object of the Government, which, he confessed, he did not clearly understand, was at any rate attained. But he was not sure whether, now that the clause was in and likely to remain, it would not be wise to give it an ampler signification. His noble Friend said he thought it a mistake that the Students' Representative Council should be instituted for this purpose alone. He was not sure that he did not agree with him to that extent. He thought the students of the Scottish Universities occupied a position which was not identical with that of undergraduates at the English Universities, and he must say he saw some clear

benefit from this clause if they carried it a little further. For the Students' Representative Council simply to give advice as to the appointment of an assessor was evidently a superfluity. It ought to go a great deal further, and he would suggest to the noble Marquess that he might see his way to make it open to the Students' Representative Council to make it one of their functions to be enabled to lay propositions or remonstrances before the University Court. He thought there was some advantage to be gained by the University Court in having that responsible Body to deal with; and, on the other hand, it would to some extent meet the complaints of the students when they had direct access to the University Court. He merely threw this out as a suggestion; but, as regarded the clause, he did not think the objection of his noble Friend would be served by the withdrawal of the sub-sections.

THE MARQUESS OF LOTHIAN remarked that he had taken advice as to the meaning of the word "may," and he had been assured it did not mean "must." It was simply a direction to the Lord Rector that he might, if he chose, take the advice of the Students' Representative Council in the appointment of his assessor. The Rector was not constantly in attendance at the University Court, and his assessor represented him, and through him the students. If the Rector's assessor were nominated through any other source than directly through himself or the Students' Representative Council, he could not be directly representative of the students. Therefore he thought it desirable to retain the sub-section.

THE EARL OF ROSEBERY said, he saw a great difference between the word "may" and the word "must;" and, unless he was misreported, the Lord Advocate stated to a deputation of Scottish students that "may" in this clause meant "must."

LORD WATSON said, he thought the word "may" was permissive; but, practically, it would be imperative on everyone who desired to be elected Lord Rector by the vote of the students. He agreed with other noble Lords in thinking that the Students' Representative Councils should have some other function than that proposed in this Bill, and he believed their grievance would be met by following out the suggestions of the noble Earl (the Earl of Rosebery), and giving them the same right to make representations which the General Council had under the Act of 1858.

Amendment *negatived.*

Clause *agreed to.*

Clause 5 (University Courts).

LORD WATSON, in moving to substitute, in the case of each University Court, the following as the representation of the affiliated Colleges for that proposed in the Bill:—

"Such number of representatives of affiliated colleges, not exceeding four, as may be appointed under and subject to, the arrangements made in terms of section 14, sub-section of this Act,"

said, these Amendments were consequential on the clause which the noble Earl opposite (the Earl of Rosebery) proposed to add to Section 15, and which, he understood, the noble Marquess was prepared to accept. The noble Marquess had an Amendment on the Paper which would still make it imperative that representatives of the affiliated Colleges should sit as members of the University Courts for all purposes whatever. He (Lord Watson) thought that ought to be avoided if possible. Under the new clause to be proposed by the noble Earl these matters were left to the agreement of the parties under regulations to be framed by the Commissioners. Then he thought the Legislature ought not to devolve on the Commissioners the duty of saying what should be the number and limit of the University Court. They ought to lay down a limit within which the University Court might determine the mode of appointment and the character of the representation. He had selected the limit of four. Already there was a limit fixed in the Bill in the case of the teachers of the University, and he would take as an illustration the University of Edinburgh, where four representatives were given to 40 Professors and upwards of 3,000 students. However sanguine their expectations might be as to the operation of Section 15, he did not think anyone would suggest that within the next century or half-century there would come into the University, under the provisions of that clause, a body of Professors or of students of that size.

THE MARQUESS OF LOTHIAN said, he was quite willing to accept the Amendment, and thought the statement he had made would show that—at any rate for a long time to come—the numbers proposed would be sufficient.

Amendment *agreed to.*

LORD WATSON said, he proposed to move to amend the clause further, in order to provide that, instead of one assessor retiring and one being elected annually, two assessors should retire and two be elected once every two years. The cost of an election was as much for one assessor as for two, and would amount he believed, to £300 or £400 for the four Universities.

Amendment *moved,*

In page 4, line 39, to leave out the words "one such assessor shall retire from office in each year," and insert, "two such assessors shall retire from office every two years."—(*The Lord Watson.*)

THE MARQUESS OF LOTHIAN said, he hoped the noble and learned Lord would not press the Amendment. He believed the cost did not amount to anything like what was stated, but that, on the contrary, it did not exceed £60. He knew a different view was held by the Senatus, but, looking to the fact that the University Councils were the persons mostly interested, as he had received no remonstrance from them as to the clause as it stood, he could not agree to the Amendment.

Amendment (by leave of the House) *withdrawn.*

Clause, as amended, *agreed to.*

Clause 6 (Powers of University Court).

THE EARL OF CAMPERDOWN said, that Sub-section 3 vested in the University Court the power of reviewing decisions arrived at by the Senatus. He asked the noble Marquess if he did not think some limit of time should be fixed for objections, because otherwise objections might be raised at very inconvenient dates?

THE MARQUESS OF LOTHIAN agreed that it was desirable to fix some limit. Perhaps the noble Earl would suggest one.

THE EARL OF CAMPERDOWN said, he would consider the point.

Clause *agreed to.*

Clause 8 (General Council).

On the Motion of the Earl of CAMPERDOWN, Amendment made in page 7, line 41, by leaving out ("ten") and inserting ("twenty").

Clause, as amended, *agreed to.*

Clause 14 (Powers of Commissioners).

Amendment *moved*, to add the following as a new sub-section:—

"The making provision for payment to the Senatus Academicus of such annual sums as may be required to enable every body to perform its statutory functions."—(*The Lord Watson.*)

THE MARQUESS OF LOTHIAN said, he thought the Amendment was unnecessary.

THE EARL OF CAMPERDOWN hoped the noble Marquess would, on further consideration, accept the Amendment.

THE EARL OF ROSEBERY said, he also hoped the noble Marquess would find it convenient to carry out the principle of the Amendment. Unless the provision were put in that form, the Senatus would simply receive a fixed sum provided by the Commission at the time, whereas it ought to be a changeable and adaptable sum.

THE MARQUESS OF LOTHIAN admitted that the principle was a right one, and his impression was that the power existed in the Bill. As, however, there appeared to be some doubt about the matter, he would consider the point before the third reading.

Amendment (by leave of the House) *withdrawn.*

Clause *agreed to.*

Clause 15 (Extension of the Universities).

Amendment *moved*, to insert the following additional sub-section:—

"To make arrangements, where it shall seem requisite, for the due representation of the University Court in the governing body of affiliated colleges, and of the governing body of affiliated colleges in the University Court, having regard to the circumstances of each particular case, to the relative numbers in the University and the college of the teaching staff, and of students proceeding to graduation, to the nature of the connection proposed to be established, and to the purposes for which such representation is desirable."—(*The Earl of Rosebery.*)

LORD HERRIES said, that if the Commissioners made use of the power thus entrusted to them, they could insist on the University Court being represented on the governing body of every

school or college to be affiliated to the Universities. That appeared to him a very serious matter. If, as he hoped and trusted, denominational schools should wish to be affiliated, it might happen that the University Court, with a majority consisting of members of the Church of Scotland, would insist that a member of their body should be on the governing body of the denominational schools; whether Episcopal, or Roman Catholic, or Presbyterian. He thought the clause should be amended so as not to make it obligatory on the University Court to be represented on the governing bodies of those Colleges, because he was afraid that otherwise it would prevent many Colleges from becoming affiliated.

THE EARL OF ROSEBERY said, he did not think the objection had any foundation in fact. After all, they must remember that affiliation under the Bill was to be carried on by the mutual consent of both parties, and if a college wishing to be affiliated made it a condition that the University should not be represented on its governing body, and such affiliation was, nevertheless, desirable, he did not think that the Commissioners would insist upon a condition which would put an end to the scheme of affiliation. The words were not obligatory by any means. They were to enable arrangements to be made where they were deemed requisite, and he did not think a governing body would be so insane, or the Commissioners so unwise, as to introduce a condition which would be absolutely unacceptable to the college treating for affiliation, and which would put an end to all possibility of affiliation.

THE MARQUESS OF LOTHIAN said, that he had carefully considered the noble Earl's (the Earl of Rosebery's) Amendment, and the noble Lord (Lord Herries) might be assured that, if it had been open to the objection raised by him, the Government would not have accepted it; but as the noble Earl had pointed out, it was purely optional, and, therefore, the fears which the noble Lord had expressed would not be realized.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 16 (University of St. Andrew's. Powers).

Lord Herries

On the Motion of the Marquess of LOTHIAN the following new Sub-section was added:—

"In the event of the said University College being affiliated to the said University, to regulate the time, place, and manner of the first election of the assessors to be elected to the University Court by the General Council, and by the Senatus Academicus of the said University after such affiliation—which election the Commissioners shall appoint to take place as soon as conveniently may be after such affiliation; and the assessor then in office shall demit office on the date of such election."

Clause, as amended, *agreed to.*

Clause 20 (Power to University Court to alter ordinances).

THE EARL OF CAMPERDOWN said, he moved to delete Sub-section 1, giving power to alter ordinances with respect to the appropriation of the sum allotted to such University by the Commissioners out of the annual grant. By striking out that sub-section and making the words general, the University Court would in future have power to make any alteration in the ordinances made by the Commissioners, or any new ordinances.

Amendment *moved*, to leave out, in page 15, line 20, Sub-section (1).—(*The Earl of Camperdown.*)

THE MARQUESS OF LOTHIAN said, he would consider the matter before the third reading stage.

Amendment (by leave of the House) *withdrawn.*

Further Amendments made; Bill to be read 3ª on *Monday* next; and to be *printed* as amended. (No. 165.)

STANDING ORDERS OF THE HOUSE OF LORDS.

NOMINATION OF SELECT COMMITTEE.

Moved, that the Lords following be named of the Committee:—

L. Chancellor
L. President, (*V. Cranbrook*)
L. Privy Seal, (*E. Cadogan*)
D. Buckingham and Chandos
M. Salisbury
M. Bath
E. Derby
E. Pembroke and Montgomery
E. Cowper
E. Carnarvon
E. Milltown
E. Harrowby
E. Morley
E. Camperdown
E. Granville
E. Northbrook
E. Selborne
V. Oxenbridge
L. Wemyss (*E. Wemyss*)
L. Rosebery (*E. Rosebery*)
L. Kintore (*E. Kintore*)
L. Kenry (*E. Dunraven and Mount Earl*)
L. Herschell
—(*The Lord Privy Seal*)

LORD HERSCHELL said, he rose to ask a question with reference to the scope of the Committee. The noble Duke (the Duke of Argyll), who spoke in the debate the previous night, appeared to take the view that the usefulness of their Lordships' House depended in the main upon the possibility of its coming into collision with the other House of Parliament. It appeared to him, however, that their Lordships' House did perform, and might perform, most useful functions in cases in which there could be no possible danger of such a collision. It appeared to him also that their Lordships had very large and useful functions to perform in reviewing and revising the work of the other House of Parliament when it came up for consideration. During the whole of the present Session, and probably the whole of the past Session, in dealing with measures which had come from the House of Commons, their Lordships had dealt with them in such a manner as to involve no risk of collision between the two Houses. Their Lordships had been able to make useful Amendments, which would cause the work of the House of Commons to operate better than it would have done had no such revision taken place. It appeared to him that it would be extremely desirable to make the work done by their Lordships in that direction as effective as possible. There were many cases in which the object was one upon which they all agreed, and the general method to be pursued might command common assent. Yet the success of the measure might, to a great extent, depend on the careful thinking out of details, and in seeing that its provisions were consistent and coherent. He did not think this work was so well done as it might be. The measures which came before their Lordships were of various kinds. If they excited considerable political hostility they were carefully examined, their provisions were critically scanned. But if, as often was the case, the measures did not excite that keen political interest, though useful and important in their character, then too frequently it was the business of no one in particular to look into them. If the measure happened to be one which interested a particular Member of the House, the provisions most likely were carefully examined; but even that precaution could not always be relied on in the case of all Bills. It had in these circumstances occurred to him that Standing Orders Committees of their Lordships' House might be appointed each Session, somewhat similar to the Grand Committees in the House of Commons, to which certain Bills might be referred, unless the House otherwise ordered. Such Committees would then feel it to be their duty to examine the particular Bills referred to them, in order to see whether they needed amendment or could be made more effective. If the Committee were to have the assistance, as they might well have, of one skilled draftsman, whose work should consist in looking critically at the form of legislation, he thought they might be able very often to put the legislation into better shape, and prevent those inconsistencies and blemishes which were often found to greatly mar the measure, and lead to litigation. He would ask the noble Lord, therefore, whether he thought this question was one which would come within the scope of the Reference to the Committee; and, if not, whether he had any objection to the addition of words providing for the matter being considered by the Committee?

THE LORD PRIVY SEAL (Earl CADOGAN) said, he cordially endorsed what had been said as to the proceedings of their Lordships' House in revising measures which came from the other House of Parliament. Anything which would in any degree tend to improve or strengthen their dealing with those measures would obviously be of great benefit not only to the proceedings of the House, but also to the progress of legislation in the other House of Parliament. He thought he might express the confident opinion that the Reference to the Committee as it at present existed was sufficient to cover the objects which the noble and learned Lord desired to attain. He had consulted the Prime Minister on the subject, and he also was of the same opinion—that it was not necessary to enlarge the Reference for the purpose mentioned by the noble and learned Lord.

THE EARL OF SELBORNE said, that had the noble Duke (the Duke of Argyll) been present he felt sure that he would have objected to the rather paradoxical manner in which the noble and learned Lord represented the opinions of the

noble Duke, as expressed the previous evening. He did not think the noble Duke said that the usefulness of their Lordships' House consisted in the possibility of its collision with the other House of Parliament. What he said was only that any measure which would prevent the possibility of any such conflict must also destroy the independence of the House and its power to be useful as a Second Chamber.

Motion *agreed to.*

House adjourned at Six o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 19th June, 1888.

The House met at Two of the clock.

MINUTES.]—NEW MEMBER SWORN — John Sinclair, esquire, *for* the Ayr District of Burghs.

PRIVATE BILLS (*by Order*)—*Third Reading*—Alabama Great Southern Railway*; Birmingham and Henley-in-Arden Railway*; Bristol Port Extension Railways*; Oxford, Aylesbury, and Metropolitan Junction Railway.*

PUBLIC BILLS — *Ordered* — *First Reading* — Bishop's Authority Regulation* [300].

Committee—Local Government (England and Wales) [182] [*Eighth Night*]—R.P.

Considered as amended—Customs (Wine Duty) [293].

PROVISIONAL ORDER BILLS—*Second Reading*—Local Government (Ireland) (Coleraine, &c.)* [297].

Considered as amended—Tramways (No. 2)* [242].

QUESTIONS.

—o—

PASSENGERS ACT — HOSPITALS OF PASSENGER-CARRYING STEAMERS.

DR. TANNER (Cork Co., Mid) asked the President of the Board of Trade, Under what circumstances are hospitals on board Transatlantic and foreign-bound passenger-carrying steamers permitted to be used, and for what purposes other than hospital purposes; by what means can the Board prevent and detect infringement of its Rules on such vessels after the steamer has left port; on how many Transatlantic steamers are there dispensaries properly fitted up and apart from the hospital or surgeon's room; are precautions always taken that the hospitals are so situated that sick and injured can always, and in all weather, be readily taken there without undue risk or exposure, and do any Rules exist having regard to the location of such hospitals; and, are precautions taken by the Board of Trade Inspectors with respect to the relative positions of the surgeon's cabin and hospitals, that the latter shall be in every weather easy of access to the medical officer?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH)(Bristol, W.), in reply, said, he had no knowledge of any cases in which the hospital spaces in the vessels coming under the Passengers Act had been permitted to be used for other than hospital purposes; but in cases of emergency—such as the rescue of a crew and passengers of another ship—any space not required for patients might possibly be so utilized. The Board of Trade had no means of preventing or detecting infringements of its Rules after a vessel had left port; but if any evidence was brought to his notice which would justify a prosecution he would certainly act upon it. The Board of Trade had no power to institute any requirements as to the fitting up or situation of the dispensaries on the Transatlantic steamers; but he understood that the Rules laid down in the Passengers Act were complied with, and that dispensaries were so situated that patients could, in all weathers, be readily taken there without undue risk or exposure. He could give the hon. Member no information as to the relative positions of surgeons' cabin and hospitals. The Board of Trade had no power in the matter.

DR. TANNER asked, with reference to the first portion of the right hon. Gentleman's answer, whether it was only under such circumstances as he had described that hospital accommodation would be used in these vessels?

SIR MICHAEL HICKS-BEACH said, that was his belief. He had made the best inquiry in his power into the matter, and he had told the hon. Member all he knew. He would promise the hon. Member that if any infringement that would warrant a prosecution were brought under his notice a prosecution would be at once begun.

DR. TANNER explained that he had asked repeatedly this Question, in the hope that the Rules of the Board of

Trade would be carried out; and he did it for the benefit of poor emigrants who could not possibly have time to get their grievances remedied themselves.

MR. SPEAKER: Order, order!

SIR MICHAEL HICKS-BEACH said, he did not at all complain of the hon. Gentleman's Question. He should be happy to have his attention called to any infringement of the Rules that occurred, and would do everything in his power to enforce the law.

LAW AND POLICE (IRELAND)—INTERFERENCE OF THE POLICE WITH STREET NEWSPAPER VENDORS AT CORK.

MR. FLYNN (Cork, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, if he is aware that the following cases of police interference with, and intimidation of, street newspaper vendors have occurred in the City of Cork—namely, Denis Desmond (young lad), who refused to sell to a policeman a copy of *United Ireland*, arrested by Sergeant Kennedy, and detained for a short time in Bridewell; Denis M'Carthy (young lad), refused to sell a copy of *The Cork Examiner* to Police Sergeant Power, arrested by Sergeant Power, taken to the Bridewell, and detained there for some time; John Radley (young lad), refused to sell a copy of *United Ireland* and *Cork Examiner* to policeman, arrested by Sergeant Power, taken to Bridewell, and detained there for some time; Cornelius Coakley (young lad), arrested for refusing to sell to policeman a copy of *United Ireland* and *Cork Examiner* by Sergeant Power, taken to the Bridewell, and detained there for some time; Patrick Bradley (young lad), arrested under circumstances similar to the above by Sergeant Power; Patrick Carleton (young lad), refused to sell a copy of *Cork Herald* to policeman, arrested by Sergeant O'Leary, and lodged in Bridewell for some time; Michael Murphy (an old man of 70), he refused to sell a copy of the *Examiner* to policeman on beat, and the policeman kicked the old man's box about, scattered his papers, cuffed the old man, and warned him against selling the newspaper; and, whether, in view of these occurrences, he will order an independent inquiry into these matters?

THE CHIEF SECRETARY (MR. A. J. BALFOUR) (Manchester, E.): A man named Denis Desmond, described as a porter, and who was a considerable time ago a newsvendor, was arrested by Constable Lambert on a charge of drunkenness, and subsequently committed to prison in default of payment of a fine of 5*s*. Denis M'Carthy and John Radley were arrested by Sergeant Power, not for refusing in either case to sell a copy of any newspaper, but for street obstruction and refusing to move on. Cornelius Coakley does not appear to have been arrested at all by Sergeant Power. He was, however, summoned by Constable Barber for stone-throwing in the streets, and fined 5*s*. Bartholomew (not Patrick) Bradley was arrested, not by Sergeant Power but by Constable Donoghue, for street obstruction, and discharged at the police-court with a caution. Patrick Carleton was not arrested by Sergeant O'Leary, nor can his arrest for any offence be traced. Michael Murphy states that some time ago a policeman gave his box a kick without any cause, but did not touch himself, and that it had nothing to do with the sale of a paper to the policeman. None of the persons named were, therefore, arrested in connection with the sale of, or refusal to sell, the papers, but for other offences; and on the occasion of two of these persons being before the police-court, one of the Local Justices is reported to have said that—

"He took that opportunity of stating that the misconduct of newsvendors in the streets of the city was becoming intolerable, and should be put a stop to."

MR. FLYNN said, arising out of the answer of the right hon. Gentleman, if he laid before the right hon. Gentleman affidavits by the following persons with regard to certain circumstances, would he then undertake to institute the independent inquiry which he had asked for—namely, that Denis Desmond, mentioned in this Question, refused to sell a copy of a newspaper to the constable mentioned. The constable said to him—"I will make you give it. Come along with me." He then took him into custody, and on the way to the Bridewell he asked him—"Will you give me the paper before I put you in?" and having taken the boy as far as the Bridewell he then released him. The

affidavit also of John Radley, 17 years of age, who has been selling papers in Cork for a number of years, stated that he was arrested by Sergeant Power, also mentioned in the Question, because he refused to sell him a copy of *The Cork Examiner*. He was arrested and taken to the Bridewell.

MR. SPEAKER: Order, order! The hon. Member is now exceeding the limits of a Question. He is simply making a counter statement.

MR. FLYNN asked the right hon. Gentleman if he laid these affidavits before him would he grant the inquiry?

MR. A. J. BALFOUR said, he should be delighted to consider any information the hon. Member laid before him.

MR. SHEEHY (Galway, S.) asked, what was the meaning of the expression "street obstruction?"

MR. A. J. BALFOUR said, it was a well understood definition; but he did not like to give any express meaning to it.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast W.) said, with reference to the reply of the right hon. Gentleman that these arrests were made for street obstruction, he wished to ask him if it were not the fact that the question of obstruction of the streets had been always left by the Authorities in the hands of the Corporation of Cork; and, also, whether it was not a fact that the arrests on various pretences of men and boys selling newspapers had only begun since the right hon. Gentleman desired to suppress the sale of certain newspapers in Ireland; and, further, whether the arrests of newspaper vendors in Ireland had been discontinued or not?

MR. A. J. BALFOUR said, he did not quite catch the drift of the Question. He apprehended that it was the duty of the police to see that street obstruction did not take place.

MR. FLYNN: Arising out of that answer——

MR. SPEAKER: Order! Mr. Harris.

LOCAL GOVERNMENT (IRELAND)—A TOWN HALL, &c. FOR BALLINASLOE.

MR. SHEEHY (Galway, S.) (for Mr. HARRIS) (Galway, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the inhabitants of Ballinasloe suffer great inconvenience for want of a Town Hall that could be used as a place for the transaction of public business; that there are two Halls in the town—namely, the Agricultural Hall and the Farming Society Building, both of which were erected for public uses and in a great degree by public money, but have now passed into the hands of the ground landlords who have rented them to private individuals; and, whether he is aware that the Town Commissioners have been unable to secure the Agricultural Hall as a Town Hall, though they offered to give the same rent for it as is paid at present; and, if so, would the Local Government Board, by their advice or otherwise, aid the townspeople of Ballinasloe in their legal efforts to get possession of this Hall?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Town Clerk at Ballinasloe states that inconvenience is felt for want of a Town Hall; also that the two Halls referred to are used for commercial purposes; and further, that the landlord of the Agricultural Hall had refused to dispossess the present tenant when the Town Commissioners asked him to rent the building to them. The Local Government Board will give due attention to any application made to them by the Ballinasloe Town Commissioners to sanction a loan to provide a building for a Town Hall. The Board have no further power in the matter.

LOCAL GOVERNMENT (IRELAND)—A PUBLIC NUISANCE IN BALLINASLOE.

MR. SHEEHY (Galway, S.) (for Mr. HARRIS) (Galway, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that in the most central position in Ballinasloe there are sheds which are used as slaughter-houses, which emit a most offensive odour, dangerous to the health of the town; that the inhabitants of Ballinasloe and the Town Commissioners signed a requisition asking Lord Clancarty to remove those sheds, on the ground that they were a public nuisance, an impediment to the traffic, and a disfigurement to the town; that his Lordship refused, on the ground that they were a market house, in which his family had a vested interest of such a nature that he had no legal right to disturb it, especially as it had relation to the tolls and customs; and, if so, would the Local Government

Board interfere and cause the removal of these sheds, and thus prevent the expense of a law-suit?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): It appears that the Town Commissioners have made representations to the landlord of the nature indicated in the Question, and that he has declined to act on them for the reasons stated. The Town Clerk, however, reports that at present no offensive odours are emitted from the premises referred to, as the owner has taken steps to keep them in a cleanly condition. The Ballinasloe Urban Sanitary Authority have extensive powers under the Public Health Act to deal with the case of nuisances arising within their district, and it is their duty to remedy any such state of things.

MR. BRADLAUGH (Northampton) asked, would the Assistant Commissioner be making any inquiry at Ballinasloe as to the market tolls there?

MR. A. J. BALFOUR said, he could not answer the Question without Notice.

DOMINION OF CANADA—IMMIGRATION OF DESTITUTE LABOURERS.

MR. BRADLAUGH (Northampton) asked the President of the Board of Trade, Whether he is aware that the Toronto Trades and Labour Council complain that the immigration into Canada of destitute labourers from Great Britain is encouraged by persons in England describing themselves as Government agents; whether William Barlow, of 106a, Market Street, Manchester, correctly describes himself as "Government Immigration Agent," and as "appointed passage broker by the Board of Trade;" and, whether representations circulated by William Barlow as to the state of the labour market in Canada have any official sanction?

THE PRESIDENT (Sir MICHAEL HICKS-BEACH) (Bristol, W.), in reply, said, he could give no information as to immigration to Canada. That was rather a Question for the Colonial Department. He gathered from newspaper reports that the Toronto Trades and Labour Council had made the complaint referred to in the Question. The person named William Barlow mentioned in the Question was not, as far as he could learn, included in the records of the Office in the list of licensed passage brokers, who were licensed by the local magistrates under the sanction of the Board; but he was informed that several licensed passage brokers had appointed Barlow as their agent.

PRIVATE BILL LEGISLATION—EVIDENCE BEFORE THE JOINT COMMITTEE.

MR. HOZIER (Lanarkshire, S.) asked the Lord Advocate, Whether the sum of £1,429, referred to in last Tuesday's evidence before the Joint Committee on Private Bill Legislation, as having been paid to the Glasgow Boundaries Commissioners and their clerks, was paid by the Treasury or by the City of Glasgow?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The sum in question was paid by the City of Glasgow.

MR. HOZIER: Arising out of that answer, may I ask the Lord Advocate whether it is customary for one of the parties interested in the decision of a Commission to recompense the Members of the Commission?

MR. J. H. A. MACDONALD: I am not aware.

INLAND REVENUE—ENGLISH-GROWN TOBACCO.

MR. CRILLY (Mayo, N.) asked Mr. Chancellor of the Exchequer, Whether his attention has been directed to an exhaustive experiment made by Messrs. Cope and Co. in the manufacture of an extensive crop of English tobacco grown by Messrs. Carter and Co.; and, whether he will cause an inquiry by experts into the results attending the experiment, with the view, if possible, of relaxing the fiscal restrictions upon the culture of tobacco in Great Britain and Ireland?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): Experiments have been made by Messrs. Carter and Co. in the manufacture of cut and roll tobacco from English-grown leaf. Great care appears to have been exercised in the manufacture of the article; but according to the best information which I have been able to obtain, the result has not been very satisfactory. The tobacco is stated to

be deficient in flavour and character; but I should be sorry to use any words which would discourage such experiments being tried. I think that it is only experience which will show the value to smokers of this tobacco. No inquiry by experts would be so valuable as a practical test by hon. Members accustomed to smoke; and if hon. Members wish it a sample of this tobacco will be placed in the Smoking Room. I am afraid there can be no change in the Fiscal Regulations, which are not at present unnecessarily stringent. I am anxious to facilitate the progress of these experiments; but the revenue from tobacco is so large that it is impossible to make any form of relaxation that would in no way threaten the Revenue.

LAW AND JUSTICE (SCOTLAND)—REMOVAL OF SHERIFF CLERK DEPUTE FROM TOBERMORY TO OBAN.

COLONEL MALCOLM (Argyllshire) asked the Lord Advocate, Whether it is a fact that the Sheriff Clerk Depute has been removed from Tobermory to Oban, and has taken with him all the ordinary business, or processes in existence, or connected with the Crofting Registry; and, if this is correct, whether he will direct such business to be returned to Tobermory?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The Sheriff Clerk Depute who was formerly at Tobermory is now removed to Oban, which is to be the seat of the Court for the district; but there will be a Sheriff Clerk Depute at Tobermory, and I shall make inquiry as to the arrangements to be made to prevent any avoidable inconvenience in consequence of the change.

IRISH LAND COMMISSION—APPLICATIONS FOR FAIR RENTS IN BANTRY DISTRICT.

MR. GILHOOLY (Cork, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether 400 originating notices to have fair rents fixed have been served in the Bantry District on or about last September; whether only 24 have been listed for hearing; and, whether, in view of the fact that several of the landlords in that district have taken legal proceedings to recover the present exorbitant rents, he will provide a remedy for this state of affairs?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me there were 214 applications to fix fair rents lodged with them during the month of September last by tenants in the Poor Law Union of Bantry. A Sub-Commission has been working in the County of Cork since November 1 last, and will continue there until the end of July; but the Commissioners have been unable, consistently with the claims of other Unions, to list more than 25 cases from the Bantry Union. That number includes all applications lodged up to September 26 last. As regards the concluding portion of the Question, the District Inspector of Constabulary reports that, so far as he can at present ascertain, no landlords have taken proceedings to recover rent in the Bantry District in the manner alleged.

MR. GILHOOLY said, he was in possession of information to the effect that landlords were taking legal proceedings against these tenants for the recovery of the exorbitant rents.

MR. A. J. BALFOUR said, he should be happy to receive any information that the hon. Gentleman could lay before him.

WAR OFFICE—FOLKESTONE JUBILEE HOSPITAL—SALE OF LAND IN THE BAYLE.

SIR EDWARD WATKIN (Hythe) asked the Secretary of State for War, Whether, in respect to the Folkestone Jubilee Hospital, he will decide, without delay, either not to sell the site of the disused battery on the "Bayle" at Folkestone for any purposes whatever, or to sell it for the purposes of the much-needed hospital at a price to be stated, or to put it up to auction; and, whether he is aware that the provision of this Jubilee Hospital has been delayed, for want of a site, for a year and a quarter?

SIR HERBERT MAXWELL (A LORD of the TREASURY) (Wigton) (who replied) said: It is not yet decided whether the site of the battery on the

Bayle shall be sold or not; but if it is, it will be sold by public auction.

TRADE AND COMMERCE — COUNTY COURT DEPARTMENT, WARWICK— FAILURE OF MESSRS. GREENWAYS' BANK.

MR. BRADLAUGH (Northampton) asked the Secretary to the Treasury, Whether any, and what, funds belonging to the Warwick County Court Department were in the hands of Greenways' Bank at the time of its stoppage; whether such funds stood in the bankers' books as a public or private account; and, whether any loss to the public will arise therefrom?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): The sum of £362 8*s.* 11*d.* belonging to the Warwick County Court Department was in the hands of Greenways' Bank at the time of its stoppage. It stood in the bank books in the name of the Registrar *quâ* Registrar; and only Court moneys were paid into the account, and only drafts in respect of the Court were drawn upon it. The amount of loss to the public will depend upon the realization of the estate.

MR. BRADLAUGH asked, whether the hon. Gentleman was aware that the Registrar of the Court was a partner of the defaulting bankers?

MR. JACKSON said, he did not know whether that was so or not. He was having the whole of the circumstances investigated, with the view of ascertaining whether any further steps should be taken.

POLICE COURTS (METROPOLIS)—ACCOMMODATION OF PRISONERS AWAITING TRIAL.

MR. T. FIELDEN (Lancashire, S.E., Middleton) asked the Secretary of State for the Home Department, Whether he has yet received a Report from the Committee which he appointed to inquire into the accommodation of prisoners awaiting trial at the Metropolitan Police Courts and at other Courts of Summary Jurisdiction; and, if so, whether he proposes to lay the Report before Parliament?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.), in reply, said, he had received the Report, which should be laid on the Table.

THE CONSTABULARY FORCE (ENGLAND AND WALES) — THE FIRST REPORT OF THE COMMISSIONERS IN 1839.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) asked the President of the Local Government Board, Whether in view of the importance of circulating correct information as to the County Constabulary and the principles on which the present establishments were founded, he will order the First Report of the Commissioners appointed to inquire into the best means of establishing an efficient Constabulary Force in the Counties of England and Wales, presented in 1839, to be reprinted?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART-WORTLEY) (Sheffield, Hallam) (who replied) said, the Report was of a voluminous character, and its production would be very costly. In view of the fact that all questions affecting the Constabulary in counties would be settled by the House before it could be published, he did not think any advantage would accrue, and he hoped his hon. Friend would not press for it.

EVICTIONS (IRELAND)—EVICTION AT CLOGHER.

MR. W. REDMOND (Fermanagh, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the following account of an eviction in Ireland, which is taken from a London paper:—

"An eviction was carried out yesterday on the property of Mr. Montroy Gledstanes Fardross, Clogher, telegraphs our Dublin correspondent. Nearly 40 police were in attendance. The evicted family numbers six members. One, a blind boy, received the last sacrament last evening, and the father, an old man of 80 years, was so weak and ill as to appear utterly unconscious of what was going on around him. Another son besought the Sub-Sheriff (Mr. McKelvey) to delay the removal of the father from bed till the parish priest might be sent for, as the arrival of McKelvey had taken the family by surprise, but the officer was inexorable. The old man was then transferred from his bed to a cart, in which he was conveyed to the house of a son-in-law, where he received the last sacrament immediately afterwards from the parish priest;"

and, whether it is not in the power of the Government to refuse to allow the forces of the Crown to be used in evicting persons under such painful circumstances?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, he was making local inquiries, and had not yet heard the result. His experience was, however, that these sensational reports were invariably grossly inaccurate.

THE MAGISTRACY (IRELAND)—MESSRS. GARDINER AND REDMOND, R.M.—CASTLEMARTYR.

MR. MAC NEILL (Donegal S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Resident Magistrates Gardiner and Redmond, who on the 31st of May, at Castlemartyr, convicted Thomas Renny of conspiring not to supply goods to a member of the Irish Constabulary, and sentenced him to the fullest term of imprisonment permissible without appeal, were before their appointments as Resident Magistrates officers of the Irish Constabulary; and, for what periods, respectively, did Messrs. Gardiner and Redmond serve in the Irish Constabulary, and what rank did they hold in that force?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): Both the Resident Magistrates named served in the Constabulary as officers. Mr. Gardiner served from February 2, 1867, to January 27, 1881; and Mr. Redmond from July 10, 1850, to September 10, 1860. Both held the rank of Sub-Inspector. That title is now changed to District Inspector. Both were declared legally qualified under the Prevention of Crime Act of 1882, and have been likewise declared qualified under the Act of last Session.

MR. MAC NEILL asked the Chief Secretary, whether he would in future try to make some provision when an offence against the Constabulary was tried under the Criminal Law and Procedure (Ireland) Act, that ex-Constabulary officers should not exclusively compose the tribunal?

MR. A. J. BALFOUR: I see no reason why such an arrangement should be made.

INLAND REVENUE—EXEMPTION FROM THE INHABITED HOUSE DUTY.

MR. KELLY (Camberwell, N.) asked Mr. Chancellor of the Exchequer, Whether he will allow the terms of the Rule recently made with a view of extending the interpretation of the Treasury Minute of February, 1884, giving exemption from the Inhabited House Duty to tenements under the annual value of £20, to be made public?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): The extension which has been made in the concession granted by the Treasury in February, 1884, is as follows:—Where several tenements each structurally separate, and which taken together fall short of £20 annual value, are occupied by the same tenant, they are exempted from payment of duty, just as they would be severally exempt if inhabited by several tenants.

SWITZERLAND — ENGLISH DOCTORS.

MR. CAUSTON (Southwark, W.) (for Dr. FARQUHARSON) (Aberdeenshire, W.) asked the Under Secretary of State for Foreign Affairs, Whether he has any further information to give the House as to the result of the negotiations he has been carrying on with the Swiss Government regarding the rights of English doctors to practise in that country?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): I am glad to say that, since the hon. Member last inquired on this subject, it has assumed a more hopeful appearance. There is reason to expect that temporary measures will be adopted by certain Cantonal Authorities, by which British physicians will be enabled to practise, and I hope that a permanent and reciprocal arrangement may be arrived at.

MR. CAUSTON asked, whether it was probable that the more favourable arrangement would apply to the whole of Switzerland, and not merely the excepted parts?

SIR JAMES FERGUSSON said, no effort would be spared to conclude a satisfactory arrangement. There were, as the hon. Member was aware, considerable difficulties in consequence of the Swiss doctors requiring complete reciprocity, which they could not obtain, unless they were allowed to practise in the British Colonies.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ARRESTS AT CURASS, KANTURK.

MR. FLYNN (Cork, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has received any information concerning the arrest of six tenants—namely, Denis Fitzpatrick, P. Murphy, John Field, Thomas Frawley, Timothy Daly, and Daniel Daly, at Curass, near Kanturk, a short time after midnight of Wednesday last, on a charge of unlawful assembly and criminal conspiracy, alleged to have been committed on March 23 last; if he can state why these men were summarily arrested and taken from their beds at this time of night, and not proceeded against in the ordinary way by summons; if he is aware that these men were kept in the police barrack all day on Thursday, from 2 or 3 o'clock a.m. to 7.30 p.m., and then released on bail by Mr. Seagrave, R.M.; and, if these facts are correct, whether he will take steps to prevent untried prisoners in Ireland from being exposed to similar treatment in future?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The District Inspector of Constabulary reports that the prisoners were arrested at about 2 a.m. The matter referred to is, I understand, one that rests in the discretion of the magistrate before whom the informations are laid. The delay in granting bail was due to the absence of the Resident Magistrate at Buttevant Petty Sessions, from which he was unable to return until about 6 p.m. on the day in question. I have given to the House all the information I have been able to obtain, but I will cause further inquiry to be made.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) said, with reference to the reply of the right hon. Gentleman that these men were arrested and taken from their bed at night, he wished to ask him why it was that the Government had waited about three months, and then arrested these men and took them from their beds at night, though they immediately afterwards assented to their release on bail?

MR. A. J. BALFOUR: I have stated just now that I have given all the information I possess to the House; but I am making further inquiries.

MR. FLYNN asked, was not the town of Kanturk in telegraphic communication with London, and had not the Question been down on Friday afternoon?

MR. A. J. BALFOUR said, the hon. Gentleman was paying him an overpowering compliment; because, in spite of assurance that he had given all the information he could, the hon. Member still refused to believe his ignorance.

MR. CRILLY (Mayo, N.) asked the right hon. Gentleman, whether the Resident Magistrate, though absent in this case, had been conveniently present at midnight in other cases to send men to gaol?

MR. A. J. BALFOUR: said, he knew the Resident Magistrate had been at Petty Sessions.

MR. SEXTON gave Notice that he would repeat the Question on Monday, as he did not believe in the right hon. Gentleman's ignorance.

PIERS AND HARBOURS (IRELAND)—HARBOUR AT ROSSLARE.

MR. MACLURE (Lancashire, S.E., Stretford) asked the First Lord of the Treasury, Whether, having regard to the facts that upwards of £110,000 of public money has been expended on the harbour at Rosslare and on the railway leading thereto; that the Select Committee of this House on Harbour Accommodation reported in 1884 that the case of Rosslare Harbour was deserving the attention of the Treasury; and that the Royal Commission appointed by the present Government has also reported in favour of its completion, the Government will take a Vote for that purpose during the present Session?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) (who replied) said: The recommendation of the recent Royal Commission on Public Works was qualified by the condition that the Harbour of Rosslare should be brought under the same management as that of Wexford. I have no information as to whether such a course would be acceptable to the Local Harbour Authorities at Wexford; and at present, therefore, I do not see my way to re-open the question of a further advance for an extension of the works at Rosslare.

ORDERS OF THE DAY.

—o—

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.—[Bill 182.]

(*Mr. Ritchie, Mr. William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Secretary Matthews, Mr. Long.*)

COMMITTEE. [*Progress 18th June.*]

[EIGHTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART I.

COUNTY COUNCILS.

Powers of County Council.

Clause 7 (Powers as to police).

Amendment proposed, in page 5, line 11, leave out from the word "nothing" to the words "constables and," in line 13.—(*Mr. Brunner.*)

Question proposed, "That the words 'Nothing in this Act shall affect' stand part of the Clause."

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, he thought that, in discussing this clause, an arrangement might be made by which the opinion of the House might be taken first upon the question of the control of the police before the question of the appointment of Chief Constable was disposed of. He would, therefore, suggest to the Committee that, in his opinion, this would be best done by striking out the words, "Nothing in this Act shall affect." His hon. and gallant Friend the Member for Sussex (Sir Walter B. Barttelot) would then move to insert the Amendment of which he had given Notice—namely, to insert after the word "respect," in line 12, the words "county police or." The sentence would then read—"The powers, duties, and liabilities of Quarter Sessions with respect to the county police or," and the whole question of the control of the police would then be raised by a subsequent Motion to leave out the words, "giving the Quarter Sessions power of appointment, controlling, and dismissing the Chief Constables." By adopting that mode the Committee would get rid of a good deal of confusion, and would be able to come to a conclusion on the matter which was discussed last night. Under these circumstances he proposed to assent to the Amendment now before the Committee to omit the words, "Nothing in this Act shall affect." By taking this course the entire question would be raised as to who should have the control of the county police and the appointment of Chief Constable. If the words giving the "appointment, control, and dismissal of Chief Constables to the Quarter Sessions" were omitted, it would then be better to omit the following words down to the word "to" in line 18, namely—

"And the powers of quarter sessions under section seven of the County and Borough Police Act, 1856, to direct and require constables to perform any duties in addition to their ordinary duties, may be exercised both by quarter sessions and by the county council; but subject as aforesaid, the powers, duties, and liabilities of quarter sessions with respect to."

The clause would then provide that—

"The duties and liabilities of quarter sessions with respect to the county police shall be, on and after the appointed day, vest in and attach to the quarter sessions and the county council jointly, and be exercised and discharged through the standing joint committee of the quarter sessions and county council appointed as hereinafter mentioned."

MR. HENRY H. FOWLER (Wolverhampton, E.) said, he thought if the suggestion of the right hon. Gentleman were adopted, it would carry out the views of the Government, but how was it proposed to deal with the "appointment, control, and dismissal of chief constables?"

MR. RITCHIE said, that provision would have to be made in that respect afterwards. He was only afraid that they might get confused if they were to attempt to amend the words between. The course he suggested would obviate that difficulty.

MR. F. S. POWELL (Wigan) said, that he had an Amendment on the Paper to insert, after "chief constables," the words "or assistant chief constables." He desired to know how that Amendment would be affected.

THE CHAIRMAN said, if the words proposed to be struck out were omitted, there would be an understanding that they were not struck out adversely, and could be re-instated.

MR. T. E. ELLIS (Merionethshire) asked if the President of the Local Government Board could not state to the Committee what the ultimate intention

of the Government was in regard to the control of the police and the Chief Constable.

MR. RITCHIE said, his only object in the suggestion he had made was to afford facilities for coming to a conclusion upon both of these points. He understood from the tone of the discussion last night that it was considered desirable to arrive at a conclusion in reference to the proposal to transfer the control of the police from the Quarter Sessions before they dealt with the question of the appointment of Chief Constables. As the hon. Gentleman asked him what the intentions of the Government were, he might say that they proposed to recommend to the Committee to adhere to the proposals of the Bill.

MR. JOHN MORLEY (Newcastle-upon-Tyne) said, the Committee were to understand, then, that the Government adhered to the proposals contained in the Bill, and that all other points beyond were left open for the ultimate discussion of the Committee.

MR. RITCHIE said, the Government intended to adhere to the proposal for vesting the control of the police in a joint committee of the Quarter Sessions and County Council.

Question put, and *negatived.*

SIR WALTER B. BARTTELOT (Sussex, N.W.), in moving, in page 5, line 12, after the word "respect," to insert "the county police or," said, he was glad to have this opportunity of placing, as clearly as he was able, some considerations before the Committee why he thought the county police should remain entirely under the control of the magistrates, as they had hitherto been. He was strongly fortified in that opinion by the views expressed by the right hon. Gentleman the Member for Wolverhampton (Mr. Henry H. Fowler). That right hon. Gentleman, in one of the clear and lucid speeches he generally delivered, had stated that he believed it would be for the interest of all parties concerned that the police should be under one control. If, then, they could not get the one authority he desired, he presumed the right hon. Gentleman would be prepared to accept the other. The House had already decided by a majority, upon the Motion of the right hon. Member for Grimsby (Mr. Heneage), not to accept the control of the County Council. Therefore the matter remained now in the position in which the Government first introduced the Bill—namely, that the police, as far as the Chief Constable was concerned, should be in the hands of the magistrates; but as far as the management of the police was concerned that it should be in the hands of a joint committee of the magistrates and the County Councils. He was of opinion that that was an unwise proposal, and it was because he thought that it would be far more to the interests of the country that the police should be under the undivided authority of the Quarter Sessions that he was glad to have an opportunity of stating his views upon the subject. When the question of the divided control was last under discussion nearly every Member who got up to take part in the debate, from both sides of the House, thought it would be a most unwise change. If it was unwise then, assuredly it was unwise now, and it should not be said because it was the control of the magistrates that they were now discussing that there were any more grounds for dividing the control than there had been previously. Looking at the case broadly, he thought he had good authority for saying that there had never been any accusation brought against the conduct of the police or of the magistrates over the police, but, on the contrary, they had heard, and they heard it when the Bill was first introduced, that not only had the magistrates done their duty, but that in all they had done, both as to economical management and the maintenance of order, there was nothing to find fault with in reference to their control of the police. Such being the case, before Parliament consented to take the management out of their hands and hand it over to another authority, surely they ought to consider carefully all the circumstances of the case. He had no wish to enter into very grave and debatable matters, but still this was the only opportunity they would have, and he would ask any man whether there were not parts of the country in which, if the police were in the hands of the County Council, very grave effects might be produced upon the police. He thought that was one of the matters they were bound to consider—namely, whether the handing over of the police to the

County Councils would be the wisest and most prudent step they could possibly take. His own view was that it would not be the wisest or most prudent course to hand over the control of the police to any elected and fluctuating body like the Town Councils, and thus remove them from the control of the magistrates, who were magistrates for their lives, and who carried on their duties from day to day and from year to year upon the same footing. There was another matter which he ought to mention which he thought the right hon. Gentleman the Member for Wolverhampton would regard as germane to this subject. His own opinion was that the question deserved more consideration than was given to it at the time it was previously discussed, and that it required more careful consideration than ever now. No doubt they would be able to discuss it very fully when they came to a subsequent clause. But it was now proposed to take out of the counties all towns with 50,000 inhabitants. The effect of that was to get rid of one of the reasons why County Government had been given —namely, that they would have the towns that were situated in the counties associated with the rural portions of the counties. They were now going to have the county without any of the large constituencies, and he should like to know whether the men, other than magistrates, who would be left to carry on the business would be persons who were most fit and proper to undertake it. There was another and most serious matter, with regard to which he would like to ask the right hon. Gentleman opposite a question. There were certain duties which would have to be collected in the district. Would the police have anything to do with the levying and collection of such duties? Would they be so employed or would they not? It was a very serious question in the administration of the law whether these men were to be employed to raise the duties which were to be handed over to the Councils by the Chancellor of the Exchequer, especially when it was considered that the large towns were to be struck out. He had no wish to detain the Committee too long, but there was another question which he desired to mention, seeing that the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) was in his place. The right hon. Gentleman had given the Committee a good many dissertations on this great question. Only the other day the right hon. Gentleman said, and if he were not much mistaken something of the same kind was repeated a short time ago by one in whose authority the right hon. Gentleman placed implicit trust—namely, that if these proposals were carried by the Government and the appointment of Chief Constables were left in the hands of the magistrates, when the Liberal Party came into power again they would reverse the decision of the majority. [*Cries of* "Hear, hear!"] He was delighted to hear that cheer. He trusted it would go forth to the country with all its force that the House of Commons, in the year 1888, for the first time in history, declared that it would not accept the decision of the majority of the House, but that it would do all in its power to reverse that decision, notwithstanding the fact that it was come to by a large majority. But hon. Members remembered how the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) brought forward his great measure with regard to Ireland. What did the right hon. Gentleman state then? He said upon every point that it was a vital question, and that if he were not supported he would throw up the Bill. It would have been far better if the Government had taken the same course in regard to the present Bill. Much as the Conservative Party disliked the legislation of the right hon. Gentleman opposite, when he was in power they had loyally accepted and carried it out. It was an entirely new and unconstitutional doctrine to get up in that House and state that if they were unfortunate enough to be defeated on the other side they would take the earliest opportunity of reversing the decision when they came into power again. He had thought it right to say so much. The Conservative Party always took their beating when they were beaten; but, at the same time, they were always ready to defend the lines of conduct they pursued, and, believing that the best interests of the country depended on the control of the police remaining in the hands which had

hitherto so well administered it, he begged to move the Amendment which stood in his name.

Amendment proposed, in page 5, line 12, after "respect," insert "the county police or."—(*Sir Walter B. Barttelot.*)

Question proposed, "That those words be there inserted."

MR. STANSFELD (Halifax) desired to say a word or two in reply to the remarks of the hon. and gallant Baronet, although it was difficult to do so, he was afraid, consistently with Order. As he understood the position, it had been decided against hon. Members on that side of the House that the control of the police and the appointment of the High Constable should not be handed over to the County Councils, but he trusted that he might be allowed to say a word or two in reply to some of the arguments and statements of the hon. and gallant Baronet. The hon. and gallant Baronet was held in the highest esteem on the Opposition as well as on the Ministerial side of the House. He spoke from very long knowledge of the hon. and gallant Baronet in that House. He had never been known to be otherwise than straight and decided and honest in the expression of his views, and he was a man for whom they naturally entertained an unwavering respect. He made no complaint of the course the hon. and gallant Baronet had pursued on this occasion. Everybody knew that the hon. and gallant Baronet did not like the Bill, that he strongly objected to the transfer of these powers from the magistrates to the County Councils in the future, and he was, therefore, consistent in the line he had taken. But the Government had taken another line; they recognized that there was a great demand on the part of the public for a representative county constituency; they had acceded to that demand, or intended to accede to it, in the constitution of the County Councils. They had not carried out that principle, however, in the present clause. Hon. Members on the Opposition side of the House differed from them, and had been beaten, but they had, nevertheless, a right to maintain their opinion. The hon. and gallant Baronet proposed that the police should be left under the control of the Quarter Sessions, and that they should not be handed over to a joint committee of Quarter Sessions and County Councils. As far as the Opposition were concerned, they entirely agreed that it would have been better for the police and the Chief Constables to be left under one authority, if that authority were the County Councils, because they found under the existing law that the magistrates were called upon to perform duties in connection with the maintenance of law and order which they claimed in future for the County Councils, so that they should be modelled on the pattern of the Borough Councils in regard to the administration of police affairs. That was the position of hon. Members on that side of the House. At present they were left in this condition. They had been defeated in that respect, and the question was whether they should vote for the retention of all the powers relating to the police in the hands of the magistrates at Quarter Sessions, or whether they should prefer, although they did not like it, the Government proposal that the police and the Chief Constables should be supervised and managed by a joint committee of two Bodies. Of the two proposals he, at least, preferred that of the Government. He did not prefer it because he liked it. He disliked it exceedingly, and he saw no sufficient justification for it. It appeared to him to be entirely inconsistent with the principles right hon. Gentlemen laid down in the Bill, and he was perfectly justified in notifying to the House, judging as well as he could of the feeling and temper of the Liberal Party both inside and outside the House, that it must not be expected that these proposals were to be permanently and definitely accepted without some attempt to reverse them on some future occasion. The hon. and gallant Baronet said that this was the first time—namely, the year 1888, when such a doctrine had been propounded. He differed entirely from the hon. and gallant Baronet. If he had used it in the way of a threat in order to induce hon. Members to vote with him rather than with the Government, he might have been open to that remark; but his argument was not in the least in the nature of a threat, and he was sure the hon. and gallant Baronet would know that he was not disposed to offer a threat on any occasion. His object had

simply been to point out that as far as the Liberal Party, not only in the House, but in the country, were concerned, they were deeply convinced in their own mind of the truth of the principle that the control of the police, whether in the boroughs or in the counties, subject to the proper authority of the magistrates in calling upon them to fulfil the duties laid down by law, should be vested in the hands of those who paid for them—namely, the representative bodies of the towns and counties. He, therefore, could not hold out any expectation that the arrangement would be a permanent one, and that a future opportunity would not be taken for amending these proposals. He had yet to learn that there was anything unconstitutional or novel in announcing to the House that when they got the opportunity they would seek to amend the Bill in a direction which they so greatly desired. He had, therefore, nothing to apologize for or correct in the statement he had made. He had no doubt that the opportunity he desired would occur, and it was a fundamental article of the Liberal creed, whether in the Metropolis in the provincial boroughs, or in the counties that the police should be nominated, appointed, controlled, and paid by the representatives of the people. Although they might be beaten on this occasion he repeated his assertion that on some future day an endeavour would be made to amend the Bill.

Mr. RITCHIE said, the right hon. Gentleman had said that it was a fundamental article of the Liberal creed, whether in the country or in the Metropolis, that the police should be in the hands of the ratepayers. He wished to ask the right hon. Gentleman how long that had been a fundamental article in the Liberal creed, because he remembered a Bill being brought in a very few years ago, when it was quite true that the Liberal Party were not identified with all the opinions and views of the Liberal Party now, for the Government of the Metropolis by the right hon. Gentleman the Member for Derby (Sir William Harcourt) which proposed to ignore its fundamental article altogether. Therefore he might assume that this fundamental article was one which had been grafted on the Liberal creed since the introduction of the Bill of the right hon. Member for Derby. He did not express any astonishment on that fact. He knew perfectly well that many other articles besides that had now become fundamental articles of the Liberal creed which at that time were being denounced by the Liberal Party of the day. He did not intend to make any further remarks on that point, but he had thought it worthy of comment that this article which was now set up as essentially a part of the Liberal creed, was deliberately set aside in the legislation inaugurated by the right hon. Member for Derby. The right hon. Gentleman recognized that there were circumstances in which it was not desirable to transfer the control of the police force to a body elected by the ratepayers. That was practically what the Government suggested now. In their proposal they recognized that the police had hitherto been under the control of a body of gentlemen who, as his hon. and gallant Friend the Member for Sussex (Sir Walter B. Barttelot) said, had performed their duties in a manner which had received the commendation of all parties in the country, and they did not think it would be right or prudent all at once, at any rate, to alter entirely that condition of things, and take away from that Body which had so effectively controlled the police in the past the powers they now possessed in order to hand them over to the new Body about to be created. The question now before the Committee was the proposal of his hon. and gallant Friend that the entire control of the police should remain in the hands of the magistrates. He could quite understand his hon. and gallant Friend having that view. He found no fault with him for entertaining it or that many of his hon. Friends should agree with the hon. and gallant Baronet in his opinions. He could readily understand that there were arguments of an extremely strong character which might be used in support of the proposal of the hon. and gallant Baronet. Certainly no charge could be substantiated or even made against the administration of the police by the Quarter Sessions, but the Committee were aware that the Government were proposing to set up in the counties a Body elected by the ratepayers for the purpose of performing many of the duties within the counties which had hitherto been performed by

the magistrates. The question arose then, whether having set up such a Body—a Body representative of the ratepayers, was no share to be given to them in the management and control of the police? Having set up such a Body which was to have the control of the rates, and would have practically to find the money for the payment of the police, were they to say that they were not to give to it the management of the police for which the ratepayers had to provide the money? The Government did not think it was possible for them to make such a proposal as that, and, therefore, they proposed to associate with the Quarter Sessions elected representatives of the ratepayers. In that suggestion they believed they found a solution of the question as to what should be the relative shares of the old and new Bodies in the control of the police. That being their view, and that being the proposal of the Bill, he was sorry to say to his hon. and gallant Friend that the Government were unable to accept the proposals which he made, and which would relegate entirely to the Quarter Sessions the control of the police.

MR. CHAPLIN (Lincolnshire, Sleaford) said, that as he had had an opportunity of speaking upon this question before, he would not detain the Committee for more than a few moments, but he was bound to say that when his right hon. Friend, in opposing the Amendment, dwelt on the fact that the Government were going to create by this Bill a new Body to be elected by the ratepayers, and asked how it was possible to give some share in the control of the police to the new Body. Surely, if that argument were good for anything at all it was good for giving the whole control of the police to the new Body. The Committee had three proposals before them. There was the proposal of Gentlemen on the other side of the House to hand over the police to the County Councils as a Body. Then there was the proposal of his hon. and gallant Friend that the control should remain as at present with the Quarter Sessions, and, thirdly, there was the proposal of the Government by which he understood they intended to sub-divide the responsibility connected with the police—for while the Chief Constable was to remain entirely under the control of the Quarter Sessions, the police themselves were to be handed over to the control of a joint committee. The proposal of the Government was that the appointment, dismissal, and control of the Chief Constable should remain with the Quarter Sessions, and his right hon. Friend the President of the Local Government Board had informed the Committee that the Government intended to adhere to that proposal. Now, he could perfectly understand both of the first two proposals. It was a perfectly logical proposal, and, perhaps, it might be one that might work well, that the management of the police should be entrusted entirely to the County Councils. Then, again, experience had already proved that the sole control left in the hands of the Quarter Sessions might be expected to work equally well in the future as in the past; but, he did not understand the proposal of the Government to give the control of the police to a perfectly new Body, but rather to place them under the control of three distinct authorities. The Chief Constable was to be appointed by the Quarter Sessions, the police were to be paid by the County Council, and were to be managed by a joint committee. Was it reasonable to suppose that an arrangement of that kind was likely to turn out to be a practical and business-like arrangement? The right hon. Member for Halifax (Mr. Stansfield) said, that he preferred of the two proposals now before the Committee, that which was suggested by the Government. Why was that? Was it on the ground that it was a business-like proposal that was likely to work well? Nothing of the kind. The right hon. Gentleman had carefully guarded himself against saying anything of the sort. He supported it on the ground of sentiment, because it was one of the new fangled articles of faith which of late years had become fashionable with the Liberal Party. For these reasons he intended to support the Amendment of his hon. and gallant Friend, and he hoped that he would be accompanied into the Lobby by many other hon. Members. He was bound to say that there was one other consideration which had great weight with him. When they were going to make a change of this kind they ought to be able to give some good reason for it. No Member of the House, sitting on any Bench, had as yet said anything which might lead

them to believe that there was any reason to be advanced in favour of the change. No complaint had ever been made by anybody as to the manner in which the control of the police had been conducted by the Quarter Sessions up to the present time, and althought that was the case, and although the Committee had definitely decided already that the control was not to be transferred to the County Councils—despite all that, it was proposed by the Government, and he confessed very greatly to his regret, to hand over the management of the police for the future to a dual control which he could not regard as anything but an unpractical and unbusiness-like proposal.

MR. KNATCHBULL-HUGESSEN (Kent, Faversham) said, he cordially supported the Amendment which had been moved by his hon. and gallant Friend the Member for Sussex. He could not help agreeing with a remark which fell from the hon. Member for Shoreditch (Mr. Stuart) yesterday, when he said that, having heard the speech of the right hon. Member for Halifax, he was of opinion that it was an argument in favour of the existing system. So far as he had been able to hear that speech, and it was very difficult at times to hear the speeches delivered on the Front Bench, he had arrived at a similar conclusion. The right hon. Gentleman had talked of the nature of the duties the police had to perform, and he had spoken of them in such a way as to convince him that it was undesirable to make any alteration in the management of that body which, on the whole, was admitted on all sides to have worked remarkably well. The right hon. Member for Mid Lothian appeared to think that some hon. Members on the Ministerial side of the House were supporting the existing system simply because it was an existing institution, and had pointed out to the House, no doubt correctly, that the system itself was not founded on constitutional usage. He submitted, however, that the question for consideration was not so much how long the system had been at work, but whether it had worked well—and he ventured to say that there was no hon. Member on the other side of the House who would be bold enough to assert—and they were not unaccustomed to the making of bold assertions—that the management of the police by the magistrates had not been, on the whole, as good as could possibly be desired. He supported the Amendment on behalf of a class of persons who were more deeply interested in the matter than any other—namely, the police themselves. He contended that if the proposal of the Government for a dual control were adopted the police would encounter great difficulties in the execution of their duties. Hitherto the police had performed those duties, arduous and difficult as they were, with patience, energy, and a scrupulous fidelity which was beyond praise. But they would be asking them to do what he maintained they had no right to ask any man to do—namely, to serve two masters. They had the highest authority for saying that it was impossible to do that. He thought that of the four courses that were open for the Commission to take the proposition of the hon. and gallant Baronet was decidedly the best; but if, unhappily, it should be beaten, he, for one, convinced as he was of the great danger which would attend dual control, would decidedly prefer that the duties should be undertaken by the Home Office. The worst course that could possibly be devised was that of the Government for subjecting the management of the police to dual control. They were asked to adopt a system and principle which not one of them would carry out in his own private affairs. Would any man employing a butcher, a baker, or a tailor, discharge any one of them who had given him perfect satisfaction in order to employ someone else of whom he knew nothing. He hoped that, in the discussion which would take place, something would be done to avert the danger which would arise from the innovation proposed by the Government.

MR. HALLEY STEWART (Lincolnshire, Spalding) said, that the argument which had just been addressed to the Committee by the hon. Member for West Kent (Mr. Knatchbull-Hugessen) was just the argument which was always adduced against every reform proposed either from the Ministerial or the Opposition Benches. Hon. Members were invariably opposed to all progress and all change, whether in relation to home government, or the government of the Empire at large. The arguments which had been adduced were the same as those which were always used, and amounted to this — that everything

which now existed was satisfactory. The hon. Gentleman opposite had not, however, taken note of the fact that the people had now a voice in the government of the country. They had already received the electoral franchise, and the Government now proposed to transfer to them the administration of their local affairs. Could it then be contended, for a moment, that the taking of the control of the police out of the hands of the County Councils would be giving them that proper administration of their own affairs which was claimed for them? The only argument which had been used in favour of letting the management of the police remain in the hands of the Quarter Sessions was that the magistrates themselves were charged with the duty of maintaining law and order. That was a fair argument as far as it went, but it was a very limited argument, and altogether unequal to the gravity of the position. He admitted that the duty of maintaining peace was in the hands of the magistrates; but hon. Members opposite spoke of the maintenance of law and order as if the 60,000 inhabitants of a town were so many enemies of order, and were and were only to be kept in subjection by the control of the magistrates and their servants, the police. He wished to point out this elementary truth, that a few magistrates and a small body of police would be absolutely impotent to preserve order unless the remaining 59,990 inhabitants were equally charged with the maintenance of order. He maintained that every honest citizen had devolved upon him just as much as a magistrate or a policeman the duty of maintaining order and peace in a community. If the bulk of the people were in reality the enemies of law and order, the work undertaken by the police it would be impossible for them to discharge. An ordinary number of policemen was about one to 1,000 of the inhabitants, and there was scarcely a rural district in England where there was not one policeman to 2,000 inhabitants. If the people were allowed to manage their affairs for themselves, they could do that with half the number of policemen who were now required. By the way in which they were now employed they contrived to make crime instead of diminishing it. They were engaged in the most trivial and unworthy occupations, and many of them were spies and game-keepers for the landed interest of the country. [*Cries of* "Oh!"] He spoke from a point of view from which hon. Gentlemen opposite had never observed these things. If they would lay aside their state and dignity and look at the question from the cottage point of view, instead of the palace and mansion point of view, they would be able to understand these things fairly enough. He intended to vote against the Amendment of the hon. and gallant Member for North-West Sussex, simply because its object was to leave the control of the police in the hands of the magistrates. The Government had already defeated a far more logical proposition that the whole matter should be handed over to the County Councils, but he should now vote with the Government, because they recognized to a limited extent the right of the ratepayers to have a voice in the matter. He looked upon it as the thin end of the wedge, and hoped to see it driven home by-and-bye.

VISCOUNT GRIMSTON (Herts, St. Alban's) said, he wished to repudiate the sentiment expressed by the hon. Member who had just sat down, and especially the accusation that the county magistrates employed the police as spies and game-keepers. He did not believe that anyone with justice could accuse the English county magistrates of having made use of the police force in the unworthy manner suggested. What was the prospect of any finality if the Government adhered to the clause as it stood? He asserted, without fear of contradiction, that, after what they had heard from the opposite side of the House, there would be no finality whatever in their proposals. The Opposition declared their intention, as soon as they possibly could, of using their utmost endeavour to secure that the police force should be placed entirely in the hands of the County Council. Therefore, they could reckon when the swing of the pendulum came round, as it inevitably would in the course of nature, and hon. Members opposite were sitting on the Ministerial side of the House, the present proposals of the Government would be brought under review, and there would be a fresh agitation on the subject. That, he thought, would be a very bad thing, and therefore he should support the Amendment of his hon. and gallant Friend. A short time ago he

had been given to understand, by the remarks of the President of the Local Government Board, that it was intended, in appointing a joint committee, to have a sufficient number of magistrates upon it, to insure that they would practically have the chief voice in administering the affairs of the police. All he could say was, that if that was the case, the County Councils, having found out that they were in a minority and that they had no real voice in controlling the police, would commence an agitation which would certainly be detrimental to the interests of that most useful body. The police were a body enrolled for the enforcement of judicial decrees, and they ought, therefore, to be under the control of a judicial executive. There were many matters which must inevitably come before the joint committee. Take the case of the pension of a constable, who might have rendered himself unpopular by the fearless discharge of his duties; or, on the other hand, too popular by the slack manner in which he discharged them. In such a case the pension awarded to that man might be materially affected by the popularly elected character of the tribunal before which the question would have to come. There was another point which ought not to be lost sight of. Most hon. Members had been speaking to their constituents, and assuring them that they wished for equal laws, both for the Sister Island and themselves. If such a state of things were to be brought about that the County Councils would eventually have the control of the police, were they prepared to carry out that matter to its logical conclusion, and hand over the control of the police to County Councils in the Sister Island? He admitted that the police in Ireland were paid from the taxes, and were under the Crown; and he was not prepared to say it would not be the best solution of the question if they were to be placed in the same position on this side of the Channel. Be that as it might, he quite agreed with the hon. Member who said that no man could serve two masters, and in this case there were not only two masters, but three. He was afraid that the chances of the success of this part of the Bill were very small indeed, and therefore he cordially supported the Amendment of the hon. and gallant Member for North-West Sussex.

Mr. WIGGIN (Staffordshire, Handsworth) said, that having had considerable experience in the management of the police as a member of borough Watch Committees, and as a county magistrate, he desired to say a few words. The police force of the county of Stafford was one of the finest bodies of men in England; but although that was the case, and although it was exceedingly well managed by the county magistrates, he, for one, would be quite willing to hand over the control of the force to the County Councils. By this Bill they were creating a new Governing Body, and it was always understood that this Governing Body would have a large amount of work imposed upon it. It seemed to him, however, that this Amendment was an attempt to reduce the amount of work that was to be placed in the hands of the County Councils. It had been urged that it was desirable to secure upon the County Councils men of high standing and of business habits, who would be qualified to do work; but if they were to whittle all the duties away in this manner they would not be able to attract good and efficient men to serve on the Councils. He should be glad to do away with the dual control, and to give the entire management to the County Council; but if that could not be done, he should support the Government clause as it stood.

Mr. S. HOARE (Norwich) said, that although he had the honour of being a county magistrate and of serving on the Court of Quarter Sessions, he felt that the Amendment would be a mistake in the future carrying out of the Bill. He regretted that the hon. Gentleman opposite, the Member for Spalding Division (Mr. Halley Stewart), should have felt it his duty to make an attack on the magistrates. Although he was one of those who neither lived in a mansion or a palace, he believed, like all the other magistrates in his district, that he endeavoured to do his duty in the best way he possibly could. The hon. Member said that the action of the police increased crime; but if he attended the Petty Sessions of the country he would find that crime was decreasing on every side. These matters, however, did not fall within the scope of the present discussion, and, therefore, he would proceed at once to explain why he opposed the Amendment of the hon. and gallant

Baronet, whose experience was so much greater than his own. He was opposed to the Amendment, because he considered that, if it were carried, it would set up a dual control, and he knew that many hon. Members were opposed to the Government clause because they thought it would introduce a dual control. Now, he, on the contrary, thought that if some such plan were not introduced there would be dual control. The County Councils would have the voting of the supplies for the police which the Quarter Sessions would administer. It was clear that the representatives of the ratepayers would not be satisfied with merely voting the money, without having some account from the Quarter Sessions of their stewardship. In that House hon. Members objected to pass Votes in regard to matters upon which they were unable to express their opinions. That would be the case of the County Councils, and whenever a vote for the police was proposed a discussion would arise which could not be satisfactory. Although there might be members of the Quarter Sessions upon the County Councils, it would not be officially represented. Therefore, he felt that a difficulty would arise, because they would have the Quarter Sessions administering the money, while the power of raising it would rest with the representatives of the ratepayers, who would have no voice whatever in the matter. Small questions, such as pensions or dismissals and others, would be continually arising, and would cause considerable bitterness between the County Councils and the Quarter Sessions. It should, therefore, be their effort to prevent the irritation which might arise from a dual control, and, in his opinion, no such irritation would arise if the management were entrusted to a joint committee as proposed by the Government. He certainly believed that if the administration of the police were left entirely in the hands of the magistrates a considerable amount of irritation would arise outside, and there would be agitation both in the market place and upon the village green, both upon little questions and great questions. He would far rather see all questions, whether of police pensions or any other matter, discussed by men of business of all shades of opinion in committee than subjected to public meetings and agitation outside. He thought the Committee ought to settle satisfactorily the question of the administration of the police, as by the plan proposed by the Government, while the ratepayers would be represented, they would have the advantage of a considerable number of the most experienced members of the Court of Quarter Sessions.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) said, the speech of his hon. Friend was rather a speech in favour of handing over the whole of the administration of the police to the County Councils, which the House by vote had already decided against, and, therefore, it was impossible to go back upon it. In supporting the Amendment of his hon. and gallant Friend, he did so upon rather different grounds from those which his hon. and gallant Friend and others had placed before the Committee. In reconstructing their local administration they should aim at simplicity. Yet by the Bill it was proposed that they should have, not a dual control nor a triple control, but, in fact, a quadruple control over the police. There would be a joint committee, a County Council, the Court of Quarter Sessions, and, over all, the Home Office; for if they looked at the 24th clause they would find that the power of the Home Office was far greater and more important than any of the powers given to the other three Bodies. Anyone who had had anything to do with police management in the counties knew that the power of the magistrates in Quarter Sessions over the police was very slight indeed. They exercised the privilege of appointing the Chief Constable, but as soon as they had appointed him the control over both him and the police passed out of their hands So far as the patronage in the appointment of the Chief Constable was concerned, it would reside better in the Court of Quarter Sessions, which was composed of nominees of the Crown, the members of which were liable to be dismissed by the Lord Chancellor, than in any elected Body. He spoke from his own experience, from what he had seen, heard, and read, and from circumstances in which he had taken part, and he had no hesitation in saying that the patronage of the Court of Quarter Sessions was carefully and prudently exercised, and that it was quite free from political bias; whereas an elected committee of the County Council would never be free from poli-

tical bias. All the elections they well knew would be fought on political lines, and most of the representatives of the County Councils would be elected on account of their political opinions. For these reasons he was in favour of the Amendment of his hon. Friend. The President of the Local Government Board said that the County Councils ought to have some authority over the police, because they would provide the money for their maintenance. That was not so. The police would be hereafter maintained out of the £5,000,000 of subventions, proposed to be handed over out of the taxes for the relief of the ratepayers. Therefore, that argument fell to the ground.

MR. SWETENHAM (Carnarvon, &c.) said, he wished to explain the reasons why he intended to vote for the Amendment of the hon. and gallant Baronet. He could not help thinking that if the Government had an opportunity of seeing the different extracts from the Vernacular Press of Wales which had been sent to him, they would not have the intention they appeared to have to retain their own clause. It was impossible for any person in that House to ignore the fact that most lamentable disturbances nad taken place in the Principality. There were many persons who conscientiously objected to the payment of tithe, and, at the same time, it was absolutely necessary, when they refused to pay it, that the assistance of the police should be, from time to time, called in. Remarks had been made from time to time by different speakers in the Principality as to what they would do when they got the power, and had the control of the police in their own hands. In the county which he represented, during the time the disturbances were going on, requisitions were sent to the county magistrates, calling upon them to reduce the number of police, on the ground that the county did not require so many; but, in point of fact, there were too few police constables already. Under these circumstances, he wished to draw the attention of the Committee to this fact. In Wales the chances were that a greater portion of the County Councils would be composed of gentlemen who conscientiously objected to the payment of tithes, and conscientiously objected to the employment of the police in levying tithes. They were conscientious men, and, therefore, he did not blame them for following up their principles; but, as conscientious men, they would do all they could to prevent the police from being employed on such occasions. The police, however, would be under the orders of the Chief Constable; and, supposing that the appointment of Chief Constable remained as they proposed by the Bill in the hands of Quarter Sessions, they would have the control of the police resting with the County Councils, while the Chief Constable would be under the management and control of an entirely different Body. The police would feel themselves compelled to obey the orders of the Chief Constable, and in doing so they would know that they were acting against the wishes and against the principles of the bulk of the County Councils, so that when the question of dismissal or pensions arose their interests were likely to be materially injured. For these reasons he could not help thinking that the police force ought to be entirely under the control of the Quarter Sessions. The arguments in favour of keeping the police force in the hands of that Body were absolutely overwhelming.

Question put.

The Committee *divided*:—Ayes 77; Noes 360: Majority 283.—(Div. List, No. 163.)

MR. JOHN MORLEY (Newcastle-upon-Tyne) said, he moved to leave out all the words from "respect," in line 12, to "respect," in line 18, the effect of the Amendment being to take from the Quarter Sessions the appointment, control, and dismissal of Chief Constables.

Amendment proposed, in page 5, line 12, to leave out from the word "respect" to the word "to," in line 18.

Question proposed, "That the words 'to the appointment, control, and dismissal of chief constables,' stand part of the Clause."

MR. F. S. POWELL asked, if the Amendment which he had placed on the Paper would be safeguarded in the event of this Amendment being carried?

THE CHAIRMAN said, he thought the Amendment of the hon. Member would be safeguarded.

Question put.

The Committee *divided:*—Ayes 216; Noes 246 : Majority 30.

AYES.

Ainslie, W. G.
Anstruther, Colonel R. H. L.
Ashmead-Bartlett, E.
Baden-Powell, Sir G. S.
Bailey, Sir J. R.
Baird, J. G. A.
Balfour, rt. hon. A. J.
Banes, Major G. E.
Baring, T. C.
Barnes, A.
Barttelot, Sir W. B.
Bates, Sir E.
Baumann, A. A.
Beach, right hon. Sir M. E. Hicks-
Beach, W. W. B.
Beadel, W. J.
Bective, Earl of
Bentinck, Lord H. C.
Bentinck, W. G. C.
Bigwood, J.
Birkbeck, Sir E.
Blundell, Col. H. B. H.
Bond, G. H.
Bonsor, H. C. O.
Borthwick, Sir A.
Bridgeman, Col. hon. F. C.
Brodrick, hon. W. St. J. F.
Brooks, Sir W. C.
Bruce, Lord H.
Burdett-Coutts, W. L. Ash.-B.
Campbell, J. A.
Carmarthen, Marq. of
Chaplin, right hon. H.
Charrington, S.
Clarke, Sir E. G.
Coghill, D. H.
Colomb, Sir J. C. R.
Cooke, C. W. R.
Corbett, J.
Corry, Sir J. P.
Cranborne, Viscount
Cross, H. S.
Crossman, Gen. Sir W.
Cubitt, right hon. G.
Darling, C. J.
Dawnay, Colonel hon. L. P.
De Lisle, E. J. L. M. P.
De Worms, Baron H.
Dimsdale, Baron R.
Donkin, R. S.
Dorington, Sir J. E.
Duncan, Colonel F.
Dyke, right hon. Sir W. H.
Egerton, hon. A. J. F.
Egerton, hon. A. de T.
Elcho, Lord
Elton, C. I.
Ewart, Sir W.
Ewing, Sir A. O.
Eyre, Colonel H.
Feilden, Lt.-Gen. R. J.
Fellowes, A. E.
Fergusson, right hon. Sir J.
Field, Admiral E.
Fielden, T.
Finch, G. H.
Fisher, W. H.
Fitzgerald, R. U. P.
Fitz-Wygram, Gen. Sir F. W.
Folkestone, right hon. Viscount
Forwood, A. B.
Fowler, Sir R. N.
Gardner, R. Richardson-
Gathorne-Hardy, hon. A. E.
Giles, A.
Gilliat, J. S.
Goldsmid, Sir J.
Goldsworthy, Major-General W. T.
Gorst, Sir J. E.
Goschen, rt. hn. G. J.
Granby, Marquess of
Gray, C. W.
Green, Sir E.
Greenall, Sir G.
Greene, E.
Grimston, Viscount
Grotrian, F. B.
Gunter, Colonel R.
Hall, A. W.
Halsey, T. F.
Hambro, Col. C. J. T.
Hamilton, right hon. Lord G. F.
Hamley, Gen. Sir E. B.
Hardcastle, E.
Hardcastle, F.
Havelock-Allan, Sir H. M.
Heath, A. R.
Heaton, J. H.
Herbert, hon. S.
Hermon-Hodge, R. T.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hill, A. S.
Hoare, S.
Holloway, G.
Hornby, W. H.
Houldsworth, Sir W. H.
Howard, J.
Howorth, H. H.
Hozier, J. H. C.
Hubbard, hon. E.
Hughes-Hallett, Col. F. C.
Hunt, F. S.
Isaacs, L. H.
Isaacson, F. W.
Jackson, W. L.
Jarvis, A. W.
Jeffreys, A. F.
Jennings, L. J.
Johnston, W.
Kelly, J. R.
Kennaway, Sir J. H.
Kenyon, hon. G. T.
Kenyon-Slaney, Col. W.
Ker, R. W. B.
Kimber, H.
King, H. S.
Knatchbull-Hugessen, H. T.
Knightley, Sir R.
Knowles, L.
Lafone, A.
Lawrance, J. C.
Lawrence, Sir J. J. T.
Lawrence, W. F.
Lees, E.
Legh, T. W.
Leighton, S.
Lennox, Lord W. C. Gordon-
Lethbridge, Sir R.
Lewis, Sir C. E.
Lewisham, right hon. Viscount
Long, W. H.
Lowther, hon. W.
Lymington, Viscount
Macartney, W. G. E.
Macdonald, right hon. J. H. A.
Mackintosh, C. F.
Maclean, J. M.
Maclure, J. W.
M'Calmont, Captain J.
Madden, D. H.
Malcolm, Col. J. W.
Mallock, R.
Marriott, right hon. Sir W. T.
Matthews, right hon. H.
Mattinson, M. W.
Maxwell, Sir H. E.
Milvain, T.
Morgan, hon. F.
Moss, R.
Mowbray, right hon. Sir J. R.
Muncaster, Lord
Noble, W.
Norris, E. S.
Northcote, hon. Sir H. S.
O'Neill, hon. R. T.
Paget, Sir R. H.
Parker, hon. F.
Pelly, Sir L.
Penton, Captain F. T.
Plunket, right hon. D. R.
Raikes, rt. hon. H. C.
Rasch, Major F. C.
Ridley, Sir M. W.
Ritchie, right hon. C. T.
Robertson, Sir W. T.
Robertson, J. P. B.
Robinson, B.
Ross, A. H.
Round, J.
Royden, T. B.
Russell, Sir G.
Sandys, Lt.-Col. T. M.
Saunderson, Col. E. J.
Seton-Karr, H.
Shaw-Stewart, M. H.
Sidebottom, T. H.
Sidebottom, W.
Smith, rt. hon. W. H.
Smith, A.
Spencer, J. E.
Stanhope, rt. hon. E.
Stanley, E. J.
Stewart, M. J.
Swetenham, E.
Sykes, C.
Tapling, T. K.
Temple, Sir R.
Theobald, J.
Tomlinson, W. E. M
Townsend, F.
Trotter, Col. H. J.
Tyler, Sir H. W.
Vincent, Col. C. E. H.
Watson, J.
Webster, R. G.
Weymouth, Viscount
Wharton, J. L.
Whitley, E.
Wiggin, H.
Wood, N.
Wortley, C. B. Stuart-
Wright, H. S.
Wroughton, P.
Yerburgh, R. A.
Young, C. E. B.

TELLERS.

Douglas, A. Akers-
Walrond, Col. W. H.

NOES.

Abraham, W. (Limerick, W.)
Acland, A. H. D.
Acland, C. T. D.
Allison, R. A.
Anderson, C. H.
Anstruther, H. T.
Asher, A.
Austin, J.
Balfour, Sir G.
Ballantine, W. H. W.
Barbour, W. B.
Barran, J.
Barry, A. H. S.
Barry, J.
Bartley, G. C. T.
Beaumont, W. B.
Beckett, E. W.
Beckett, W.
Bethell, Commander G. R.
Bickford-Smith, W.
Biggar, J. G.
Bolitho, T. B.
Bradlaugh, C.
Bright, Jacob
Broadhurst, H.
Brown, A. H.

Bruce, hon. R. P.
Brunner, J. T.
Buchanan, T. R.
Burt, T.
Buxton, S. C.
Byrne, G. M.
Cameron, C.
Cameron, J. M.
Campbell-Bannerman, right hon. H.
Carew, J. L.
Causton, R. K.
Chamberlain, R.
Channing, F. A.
Childers, rt. hon. H. C. E.
Clancy, J. J.
Cobb, H. P.
Coleridge, hon. B.
Commins, A.
Conway, M.
Conybeare, C. A. V.
Corbet, W. J.
Corbett, A. C.
Cossham, H.
Cotton, Capt. E. T. D.
Cox, J. R.
Craig, J.
Craven, J.
Crawford, D.
Crawford, W.
Cremer, W. R.
Crilly, D.
Crossley, E.
Curzon, Viscount
Curzon, hon. G. N.
Dalrymple, Sir C.
Davenport, H. T.
Davies, W.
Deasy, J.
Dickson, T. A.
Dillwyn, L. L.
Dixon, G.
Duff, R. W.
Dugdale, J. S.
Duncombe, A.
Ebrington, Viscount
Edwards-Moss, T. C.
Elliot, hon. A. R. D.
Elliot, hon. H. F. H.
Ellis, J.
Ellis, T. E.
Esmonde, Sir T. H. G.
Esslemont, P.
Evershed, S.
Farquharson, Dr. R.
Fenwick, C.
Ferguson, R. C. Munro-
Finucane, J.
Firth, J. F. B.
Flower, C.
Flynn, J. C.
Foley, P. J.
Foljambe, C. G. S.
Forster, Sir C.
Fowler, rt. hon. H. H.
Fox, Dr. J. F.
Fry, L.
Fuller, G. P.
Gardner, H.
Gaskell, C. G. Milnes-
Gilhooly, J.
Gill, T. P.
Gladstone, rt. hn. W. E.
Gourley, E. T.
Graham, R. C.
Grey, Sir E.
Gurdon, R. T.
Hanbury, R. W.
Hanbury-Tracy, hon. F. S. A.
Harrington, E.
Hartington, Marq. of
Hayden, L. P.
Hayne, C. Seale-
Heathcote, Capt. J. H. Edwards-
Heneage, right hon. E.
Hoare, E. B.
Hobhouse, H.
Holden, I.
Hooper, J.
Hoyle, I.
Hunter, W. A.
James, hon. W. H.
Jordan, J.
Kay-Shuttleworth, rt. hon. Sir U. J.
Kenny, C. S.
Kenny, M. J.
Kenrick, W.
Kilbride, D.
Lalor, R.
Lane, W. J.
Lawson, Sir W.
Lawson, H. L. W.
Leake, R.
Lefevre, right hon. G. J. S.
Lewis, T. P.
Llewellyn, E. H.
Lowther, J. W.
Lubbock, Sir J.
Lyell, L.
Macdonald, W. A.
MacInnes, M.
Maclean, F. W.
Mac Neill, J. G. S.
M'Arthur, A.
M'Carthy, J.
M'Donald, P.
M'Ewan, W.
M'Lagan, P.
M'Laren, W. S. B.
Maitland, W. F.
Maple, J. B.
Mappin, Sir F. T.
Marum, E. M.
Maskelyne, M. H. N. Story-
Mayne, T.
Menzies, R. S.
Mildmay, F. B.
Molloy, B. C.
More, R. J.
Morgan, right hon. G. O.
Morgan, O. V.
Morley, rt. hon. J.
Mundella, right hon. A. J.
Murphy, W. M.
Newark, Viscount
Nolan, Colonel J. P.
Nolan, J.
Norton, R.
O'Brien, J. F. X.
O'Brien, P. J.
O'Connor, A.
O'Connor, J.
O'Hea, P.
O'Kelly, J.
Palmer, Sir C. M.
Parker, C. S.
Paulton, J. M.
Pease, A. E.
Pease, H. F.
Pickersgill, E. H.
Picton, J. A.
Pinkerton, J.
Playfair, rt. hon. Sir L.
Portman, hon. E. B.
Potter, T. B.
Powell, F. S.
Powell, W. R. H.
Power, P. J.
Power, R.
Price, T. P.
Pugh, D.
Pyne, J. D.
Rathbone, W.
Redmond, W. H. K.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Richard, H.
Richardson, T.
Roberts, J.
Roberts, J. B.
Robertson, E.
Robinson, T.
Roscoe, Sir H. E.
Rowntree, J.
Russell, T. W.
Samuelson, G. B.
Sellar, A. C.
Sexton, T.
Shaw, T.
Sheehan, J. D.
Sheehy, D.
Sheil, E.
Sidebotham, J. W.
Simon, Sir J.
Sinclair, J.
Sinclair, W. P.
Smith, S.
Spencer, hon. C. R.
Stack, J.
Stanhope, hon. P. J.
Stevenson, F. S.
Stevenson, J. C.
Stewart, H.
Stuart, J.
Sullivan, D.
Summers, W.
Swinburne, Sir J.
Tanner, C. K.
Thomas, A.
Thorburn, W.
Tollemache, H. J.
Trevelyan, right hon. Sir G. O.
Tuite, J.
Vernon, hon. G. R.
Wardle, H.
Watkin, Sir E. W.
Wayman, T.
West, Colonel W. C.
Will, J. S.
Williams, A. J.
Williamson, J.
Williamson, S.
Wilson, C. H.
Wilson, H. J.
Wilson, I.
Wodehouse, E. R.
Wolmer, Viscount
Woodall, W.
Woodhead, J.
Wright, C.

TELLERS.

Marjoribanks, rt. hon. E.
Morley, A.

Mr. STANLEY LEIGHTON said, the Amendment standing in his name was intended to place the county police under the authority of Her Majesty's Secretary of State for the Home Department. A good deal had been said in the course of the discussion about trusting the people in the matter of the police. That argument was founded on a misconception. The only persons who really trusted the people were himself and those who agreed with him; for they did not trust the people in a fragmentary way; they trusted the people, the whole people, and nothing but the people—that was to say, the people of the United Kingdom and Ireland as represented in Parliament. It was not wise, but dangerous, to trust matters of large responsibility to small sections of the people, but there was no danger whatever in trusting the people as a

whole. He hoped that, instead of this sectional trust of the people, they would carry out the principle he had explained by leaving out the words which vested the powers and duties with respect to the county police in the hands of a local Council, and substitute for them the words "Her Majesty's Secretary of State for the Home Department," whom they had in that House, whom they could command and trust, and whom, if they did not trust, they could displace. In a comparatively short space of time the provisions of the Bill might be applied to Ireland. He would like to know whether any Member of that House would be willing to place the police of Ireland under local popular control? The people of London were as intelligent as any people, and yet it was not deemed safe that they should have the control of their own police. There was an absurdity in placing the responsibility for the prevention of crime in the hands of 120 different establishments; the prevention of crime was an Imperial duty which extended to the whole country. If a protected Prime Minister were to travel from London to Edinburgh with the ordinary stoppages for making speeches, he would come under the surveillance of a dozen different police forces. He would like to support what he said by the statements of the Royal Commissioners when the Constabulary was first founded in 1839. They said that by separate and independent management in counties there must be expense, trouble, and inconvenience, such as had been attendant upon the old system of management by parish constables. The old system of elective constables had one supporter in the House—namely, the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), who seemed to think that the ancient and barbarous methods of maintaining law and order should be still adhered to. The Commissioners also stated that separate local police establishments would be inadequate, inefficient, and very expensive. The time had now arrived when a great step in advance might be made by establishing one Imperial force. The Commissioners summed up their objections to the present system by saying that with 52 different forces there would be 52 conflicting modes of action, and that any measure which did not tend to the establishment of one force and one system throughout the country would end in comparative inefficiency, greater expense, and the creation of local animosities. His proposal, therefore, was to enlarge the powers of the Home Office, and to get rid of the mischiefs which were pointed out in this most valuable Report of the Commissioners. Hon. Gentlemen on these Benches were desirous of efficiency and anxious for economy; but he was bound to say that the method of administration proposed by the Government in this Bill made efficiency and economy quite impossible. Having, he believed, said sufficient to recommend his Amendment to the Committee, he had only to point out that there was a precedent for this proposal in the case of the prisons, which had been placed successfully under Government control 12 years ago.

Amendment proposed,

In page 5, line 20, after the words "attach to," to leave out all the words to end of Clause, and insert "Her Majesty's Secretary of State for the Home Department."—(*Mr. Stanley Leighton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. RITCHIE said, he was very far indeed from saying that there was not a good deal to be urged in favour of the proposal of his hon. Friend; but, looking at the discussion which had already taken place with reference to the control of the police, he thought his hon. Friend would hardly expect that the Government would recede from the position they had taken up in that respect. He thought it would also be seen that the Committee, having come to a conclusion adverse to placing the police under the control of the Judicial Body under which they now were, was hardly likely to accept the proposal of his hon. Friend. His hon. Friend would understand that he did not propose to trouble the Committee again with the various arguments which had been advanced on this subject during the discussion that had taken place, and he would only say, further, that the Government were unable to accept the Amendment of his hon. Friend.

MR. CUNNINGHAME GRAHAM (Lanark, N.W.) said, he rose to oppose the Amendment of the hon. Member for

the Oswestry Division of Shropshire (Mr. Stanley Leighton), whom he would congratulate upon the extreme frankness of his statement. He was not, however, able to congratulate him so much upon his remarks in reference to the control of the police. He (Mr. Cunninghame Graham) would point out that there were two places in the country, and two only, where the police were in collision with the people—namely, Ireland and the Metropolis, and in those places the police were under the direct control of the Crown. He thought that the duty of answering the hon. Gentleman devolved upon the right hon. Gentleman the Home Secretary rather than on himself; but, as he was on friendly terms with the right hon. Gentleman, he wished to protest emphatically against another unpleasant duty being placed upon him. He might also suggest that if the hon. Gentleman did not feel it right to vote for the alternative system he should place the police under the control of the Emperor of Japan.

Mr. FIRTH (Dundee) said, that outside London there were parts of counties extending 15 miles from Charing Cross where the police were under the control of the Home Secretary. He did not see why the arguments of the right hon. Gentleman the President of the Local Government Board should not apply to the counties outside London, and it was his intention to move an Amendment with that object.

Mr. CONYBEARE (Cornwall, Camborne) said, the Division which had taken place not only had the effect of knocking the Government out of time, but also of knocking the sense out of the clause. With regard to the Amendment before the Committee, the hon. Member had placed before them a proposal which might be worthy of the consideration of the Committee; but considering that, as had been pointed out more than once in the discussion, the action of the right hon. Gentleman the Home Secretary had been to bring the people of the Metropolis into collision with the police, he thought the Amendment of the hon. Gentleman opposite would be the very last thing which it would be their duty to entertain. The hon. Gentleman, he wished to point out, was exceedingly illogical in some of the remarks he had made, and he thought he must have been guilty of an unconscious joke levelled at the Members of the Government on the Treasury Benches. But when the hon. Gentleman said that it was dangerous to trust large matters to small portions of the people, and then said he was in favour of placing the control of the police under that fragment of the people, which consisted of the Home Office and himself, it seemed to him that his arguments became very illogical indeed. He believed the hon. Member was in favour of retaining the control of the police in the hands of the magistrates, and there again he would point out that when he spoke of trusting the whole people, and nothing but the people, he either did not understand what the people meant, or he was so illogical that he did not know whither his remarks were carrying him; because the magistrates belonged to one class, and certainly did not constitute the people as a whole. He thought it would be agreed that the landocracy constituted a very small portion of the people; and, therefore, if the hon. Gentleman was sincere in his wish to retain the police under the control of the magistrates, he could not be sincere in his wish to see any of these powers left in the hands of the people. The hon. Gentleman had explained that the people of London were the most intelligent in the country. He did not intend to dispute a proposition of that kind; but when the hon. Gentleman went on to say that the people of London had no control over their police, and used that argument as a reason why the Home Office should control the police in all other parts of the country, he (Mr. Conybeare) must point out again that the hon. Member was also illogical here, because he had expressed the opinion that, in large matters, not a small portion of the people, but the whole, should be trusted. He did not suppose that the hon. Gentleman would be very successful if he carried his Amendment to a Division; and, after the expression of opinion on the Treasury Bench, he thought he would be wise in withdrawing it.

Sir RICHARD PAGET (Somerset, Wells) said, he was one of those who desired to see progress made in this measure; and, therefore, because he deprecated unnecessary Divisions, he would express his hope that his hon. Friend (Mr. Stanley Leighton) would withdraw his Amendment.

MAJOR RASCH (Essex, S.E.) said, he wished to point out that the argument in favour of the Amendment of the hon. Member for the Oswestry Division of Shropshire was that it would increase economy and efficiency. It was obvious that by having one control there must be a saving of expenditure in respect of correspondence, clerks, and other matters. If they followed the example in the case of the prisons they would have one central authority, one control, and one set of regulations for one force, and this would certainly produce greater efficiency all round.

Question put, and *agreed to.*

MR. WOODALL (Hanley) said, the Amendment standing in his name would have the effect of preserving the present useful arrangements existing between some of the boroughs and counties which had worked very satisfactorily, and which he thought it was undesirable to disturb.

Amendment proposed,

In page 5, line 23, at end of Clause, to add the words—"All arguments under which the police of any county and borough are consolidated, or under which any borough is watched by county police, shall, notwithstanding anything in this Act, remain in force and be carried into effect until lawfully determined, the standing joint committee only being substituted so far as requisite for the justices of the county."—(*Mr. Woodall.*)

Question proposed, "That those words be there added."

MR. RITCHIE said, he was in accord with what he believed to be the object of this Amendment; but he would point out that if the Government were to accept it as it stood, it would practically prejudge certain questions with reference to the boroughs and counties. He would undertake that, as far as boroughs of over 10,000 in population were concerned, they accepted the spirit of the hon. Member's proposal. But he thought it better that what had to be said on the question should be deferred until they came to the clause dealing with the question.

SIR JOHN SWINBURNE (Staffordshire, Lichfield) asked if there would be an opportunity of discussing the question of police with regard to boroughs under 10,000; because, if he allowed the present opportunity to pass, those who wished to raise that question might be ruled out of Order hereafter.

MR. RITCHIE said, there would be nothing whatever to prejudice the discussion by accepting his proposal to defer the question.

SIR JOHN SWINBURNE said, there was in his borough a very strong feeling that the municipal authorities should have the control of their own police, although the borough did not contain 10,000 inhabitants. He did not wish to delay the progress of the Bill, and as he understood that he should not be out of Order in raising the subject hereafter he was willing to accede to the request of the right hon. Gentleman.

MR. WOODALL said, he was exceedingly desirous of falling in with the views of the right hon. Gentleman. He wished to facilitate the passage of the Bill; and, on the understanding that boroughs of under 10,000 inhabitants should not be prejudiced by the postponement, he would ask leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. FIRTH said, he would point out that the control of the police by the Home Office extended from Chislehurst on one side of London to Uxbridge on the other. He would not go into the historic reasons why it should come to pass that the control of the Home Secretary extended to counties outside London; but he ventured to suggest that those counties were just as well able to control their police as those to whom it was proposed to give powers under this clause. He would, therefore, move an Amendment to include the principle he had in view in the Bill.

Amendment proposed,

In page 5, line 23, at end of Clause, to add the words—"This section shall apply to all counties and boroughs of counties outside the county of London in respect of the control of the police."—(*Mr. Firth.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he could not accept the proposal of the hon. and learned Gentleman, and would make a suggestion that it should be withdrawn and the discussion of the point deferred. They must deal with the London police district as a whole.

MR. FIRTH said, on the understanding that the question of London police control would be considered hereafter

on its merits, he would not press his Amendment.

MR. RITCHIE said, he believed that the Committee would always consider a case upon its merits.

Amendment, by leave, *withdrawn.*

MR. RITCHIE said, with reference to what had fallen from the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) with reference to the powers of Quarter Sessions, under Clause 7 of the County and Borough Police Act of 1856, he had prepared an Amendment which he wished to submit to the Committee whereby the power of imposing certain additional duties on the police, as vested by the section referred to in Quarter Sessions, should be exercisable by Quarter Sessions as well as by the joint committee and also by the County Councils.

Amendment proposed,

In page 5, line 23, at end of Clause, to add —"Provided that the powers conferred by section seven of the County and Borough Police Act, 1856, which requires constables to perform, in addition to their ordinary duties, such duties connected with the police as the Quarter Sessions may direct or require, shall continue to be exercised by the Quarter Sessions as well as by the constituted joint committee, and may also be exercised by the County Council, and the said section shall be construed as if the County Council and the constituted joint committee were therein mentioned as well as the Quarter Sessions."—(*Mr. Ritchie.*)

Question, "That those words be there added," put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 8 (Transfer to County Council of power of certain Government Departments and other Authorities).

MR. CHAPLIN (Lincolnshire, Sleaford) said, the clause as it stood transferred to the local Councils powers which were vested at present in certain Bodies, such as the Treasury, the Local Government Board, and the Board of Trade. The object of his Amendment was, instead of transferring these powers by the Bill, to enable them hereafter to be transferred by Order in Council. His reason for moving the Amendment was that would be unwise to load the new authorities with all these onerous duties at starting. [*Laughter.*] He saw no reason for laughter. He confessed that until he had some experience of the working of the County Councils, and until he knew how they were composed, he did not think it would be expedient to vest in them a large number of powers. His view was that the County Councils should be made perfectly impartial and homogeneous, and in future, when they were able to judge how their business had been conducted, they might transfer to them any further powers which they considered could be rightly transferred. The transfer of these powers he proposed, as he had said, to be made in future by Order in Council; beyond that he could not at present go. He might point out that some of the powers to be transferred were quite unnecessary. Hon. Members would find by the Schedule that, among others, it was proposed to transfer the power now vested in the Board of Trade of making piers and harbours, and if they adopted the clause as it stood they would be conferring on the County Council of Rutland, for instance, the most unnecessary power of carrying out those works. He thought the Committee would agree with him that this Amendment was well deserving of consideration, and, as far as he was concerned, he greatly preferred his proposal to the clause in its present form.

Amendment proposed,

In page 5, line 24, leave out "On and after the appointed day," and insert "It shall be lawful for Her Majesty the Queen in Council, if satisfied of such approval as hereinafter mentioned from time to time, by order to transfer to the Council of a county all or any of."—(*Mr. Chaplin.*)

Question proposed, "That those words be there inserted."

SIR MATTHEW WHITE RIDLEY (Lancashire, N., Blackpool) said, he should support the Amendment of the right hon. Gentleman. Although, at first sight, undoubtedly, it had the appearance of emasculating the Bill, he would point out, with reference to the constitution of County Councils, the Bill had already been eviscerated by the exclusion of some of the smaller boroughs from the County Councils. That exclusion might be a good thing, but the constitution of the County Councils had thus become very different from what it was originally, inasmuch as they would be composed entirely of rural members or members from very small boroughs. He was not prepared to say there were not

some powers of Government Departments that could not be very well given to the County Councils, but he thought, rather than run any risk, they should say that these large functions should not now be specified. He thought that before they were transferred it was desirable to see how the Councils discharged the less important duties. As a matter of practical experience, and apart from Party politics, he thought it was safer to keep powers with constituted authorities like the Board of Trade or the Local Government Board, having a staff of officers for dealing with the various subjects, than it would be to give them to the County Councils. If hon. Members would look at some of the powers now exercised by the Local Government Board and the Board of Trade and the powers proposed to be transferred to the County Councils; if they would consider the amount of machinery necessary to carry out these powers, he thought they would see that it was impossible for the County Councils to deal with them. There were many counties which would have to decide on the question of piers and harbours. It was not stated that the country would be able to dispense with any of the Board of Trade officers in consequence of the proposed transfer, and he asserted that the Board of Trade, by their local inquiries, which were conducted at a small cost, had satisfied local demands. The proposal in the Bill was—for instance, where a borough desired gas or water works—instead of coming to a large constituted authority such as the Board of Trade they should go to the County Council, on which probably they thought they were inadequately represented, and where not only would the question be decided on its merits, but with considerable opposition on the part of rival boroughs. He knew that in Lancashire there were districts in which this would occur, and he could not conceive that any advantage would be derived from the action of County Councils in these matters. He pointed out also that there must be great expense in providing the County Councils with all the machinery necessary to deal with the powers proposed to be conferred upon them as they arose. He did not say that there were not some smaller matters which might be transferred to the County Councils. Nor did he wish to deprive them of the position they ought to occupy; but he would point out that it was proposed to transfer the powers of dealing with gas and water and the management of tramways throughout the Kingdom, which were matters requiring exhaustive inquiry, and then Provisional Orders followed by a Bill in Parliament. That being so, he asked hon. Members whether they thought the County Councils competent to deal with all these subjects? Not only was the change proposed a very sweeping one in itself; but, although the rates would be enormously increased, he did not think the districts would get value for the money spent. On the whole, he believed there would be great dissatisfaction if the clause were carried in its present form. It was because he wished the system to be a success that he was anxious not to overburden the new Bodies, and he should therefore support the Amendment of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire. He did not think hon. Members would deem it wise to give to the small boroughs the government powers which were enumerated. The case might be argued at greater length; but he thought he had given some reason why the Government should hesitate before they gave these powers to the County Council. He believed that in supporting the Amendment they would be doing mischief to the Councils and no good to the boroughs. His opinion was that they ought to shrink from giving powers to the new Bodies which could not be exercised for the good of the community.

SIR LYON PLAYFAIR (Leeds, S.) said, he quite agreed with the hon. Baronet (Sir Matthew White Ridley) that there were certain powers which the Local Government Board and the Board of Trade possessed that it would be desirable at once to give to the County Council, small powers which did not require great skill to exercise. But there were some powers of such great magnitude—for instance, there was the one to which he drew the attention of the House some time ago, that concerning the public health of the country, and which at the present moment was carried into successful operation by the skilled staff of the Local Government Board—which ought not to be transferred to the new authorities

till they were organized and ready to use them with advantage to the nation. According to the Bill, they were at once to transfer the powers which had worked through the agency of a skilled staff of medical officers of the Local Government Board to detached and uncombined medical officers, some of whom had no training at all for the purposes contemplated, and many of whom were engaged in private practice, and had never had the opportunity or the inclination to study sanitary questions. He thought, therefore, that unless the right hon. Gentleman the President of the Local Government Board assured them that he intended afterwards to put down Amendments—in regard to which he had given no Notice at the present time—giving such power to the County Councils as would enable them to get properly qualified medical men to look after the health of the community, the Bill would produce great deterioration instead of improvement in the public health. Until he knew that the right hon. Gentleman intended to make such Amendments, he should support the Amendment of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin).

MR. F. S. POWELL (Wigan) said, he desired to corroborate what had been said by the right hon. Gentleman the Member for South Leeds (Sir Lyon Playfair) with reference to medical officers. He had occasion, in former years, to take an interest in the provisions introduced into the present Statute respecting medical officers, and he was quite certain that if the public health of the future under this Bill or any other Bill was to be conducted and attended to in a satisfactory manner, great pains must be taken to keep up the dignity and to maintain the *status* of medical officers. He did not desire to anticipate any discussion which might arise when they came to the part of the Bill dealing more specifically with public health; but as the point had been raised by the right hon. Gentleman he could not remain entirely silent. He did not think they need have any apprehension as to some, at least, of the powers which it was proposed to transfer. The powers of the Home Office, which it was proposed to transfer to the County Councils, were confined to two subjects not entirely germane. In fact, they were connected together by a somewhat remarkable alliance in the Schedule—they were burials and fairs. In reference to the powers of the Local Government Board which it was proposed to transfer, he hoped that some of them would be removed in the subsequent discussion on the Bill. He thought it would be a misfortune to start this Bill without the transference of some powers. If the new authorities to be set up under the Bill were to be manned by men of position and character in the counties, the Committee must give them real and substantial work to do, and he doubted very much whether they could find any means of giving work to that class so effectual as by entrusting the County Council with some portion of the powers now administered by Government offices. He did not know that the removal of certain boroughs had so much weakened the County Councils as some hon. Members seemed to think. It was a grave misfortune in our social life that those who had interest in boroughs very often—in fact, almost invariably—lived outside of those boroughs. He believed that men of standing and of influence in the different boroughs would be found to reside outside of those boroughs, and to have large interest in the county. They would become efficient members of the new County Council. He, therefore, did not attach the importance some hon. Members did to the deteriorating effect upon the County Councils produced by the creation of the county boroughs; but he confessed that he was somewhat surprised to hear the criticism which had been offered by hon. Members who appeared more peculiarly to represent rural districts. He thought he had heard many hon. Gentlemen, whose interests were more rural than his own could claim to be, express great fear that the County Councils would be overborne and governed by the towns. That fear had been removed by the Amendment introduced in the Bill for the creation of a larger number of county boroughs, and he thought that on that ground, at least, they might feel more confident in entrusting powers to the County Councils.

MR. A. H. BROWN (Shropshire, Wellington) said, he desired to say a word or two from the point of view of the public health. The right hon. Gentleman (Mr. Ritchie) proposed to transfer from his

Sir Lyon Playfair

own Department to the County Councils a large number of powers which were always intended to be used in the promotion of the public health of the country. Among those powers to be transferred were the powers under certain sections named in the Public Health Act of 1875, and he desired to draw the right hon. Gentleman's attention to some of the powers he was about to transfer from his Department to the County Councils. He thought that it was possible to transfer some powers to the County Councils; but it was desirable the right hon. Gentleman should retain in his Department power to control the County Council, or any other Body to whom powers were entrusted, to carry out the provisions of the law which were necessary for the improvement of the public health. One hon. Gentleman had remarked that it was proposed to transfer to the County Councils all power under the 299th section of the Act of 1875. That section was the one which compelled the authorities to perform their duties with regard to the public health, the power being vested in the Local Government Board under that section. Let him point out, however, that if, under the Bill, the powers given by that section were transferred to the County Councils, no authority in the country could be compelled by the Local Government Board to do anything that was necessary for the public health. He hoped that the point would be carefully considered, and that though the County Councils would be invested with some of the powers named in the Schedule, the Government Department would also possess the powers now named in the Act of 1875. The Local Government Board ought to be able compel the Local Authority to provide a mortuary, for instance; and they ought to be able to compel them to scavenge their streets. Those were important powers, but if the Bill passed as it now stood, there would be no power whatever on the part of the Local Government Board to compel any Local Authority to perform these important functions. He also desired to insist upon the point that there ought to be some supervising authority to see that duties were properly performed in the interests of public health. He should certainly support the Amendment now under consideration.

MR. CRAIG SELLAR (Lanarkshire, Partick) said, he listened with great pleasure to the speech of the hon. Baronet the Member for the Blackpool Division of Lancashire (Sir Matthew White Ridley) upon the subject, to which he (Mr. Craig Sellar) had given some attention. He understood from the hon. Baronet that his argument was that, while he did not object to the transference of minor powers to the County Councils, he did object to the transference of the greater powers it was proposed to transfer. He (Mr. Craig Sellar) entirely agreed with the hon. Gentleman in this matter; the hon. Gentleman adduced some very cogent reasons for his argument, which he hoped the Committee would consider carefully; but, in addition to the argument which the hon. Gentleman had urged, he desired to urge one, a minor argument certainly, but still a practical one. It was this—that the whole question of these Provisional Orders, as well as the greater questions connected with Private Bill legislation, were now being carefully considered by an important Committee of the two Houses of Parliament. That Committee would report, he hoped, very shortly, and he thought that was a strong reason for at least postponing the consideration of this clause. He trusted that if the Committee would not consent to accept the Amendment of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin), they would, at least, consent to postpone this clause until the Committee which he had mentioned had reported.

MR. HENRY H. FOWLER (Wolverhampton, E.) said, he did not think that anyone would accuse him of being desirous of weakening either the duties, the powers, or the responsibilities of the new Councils, and it was because he entirely agreed with the views expressed by his right hon. Friend the Member for South Leeds (Sir Lyon Playfair) that he should support the Amendment of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin). They had been arguing all the way through—certainly, they upon the Opposition Benches had been so arguing—that it was desirable, as far as possible, to assimilate the new Council to the old Municipal Council. Now, Municipal Town Councils had had experience of Local Government for upwards of half-a-century, but Parliament had never

yet proposed to confer on them the discretion and authority of the Home Secretary, or of the Local Government Board, or of the Board of Trade, in respect to the matters specified in the Schedule. It was proposed to invest the new Body—he had great faith in the new Body, although it was certainly untried and inexperienced—with these great Ministerial powers, he might almost say Parliamentary powers. He tried to follow his right hon. Friend in reference to the position of what were to be called county boroughs under the Bill. He believed the right hon. Gentleman proposed that they should still be subject to the Local Government Board, and to the Board of Trade, and to the Home Secretary, in all these matters. He quite agreed in that view, at all events for the present; but he thought that to invest the County Councils and not the municipal boroughs with these various discretionary powers, all of which would require a large and expensive and experienced staff in order to carry them out efficiently, was really proceeding on wrong lines. He thought that the Amendment of the right hon. Gentleman the Member for the Sleaford Division went as far as they ought to go. So far as Section 1 was concerned, he was quite willing that the Government of the day, having full knowledge of the facts of the case, should have power, by Order in Council, to transfer certain powers to the County Councils. If they did not accept the Amendment, they would be in the position that, when they came to the Schedule, they would have to discuss item by item all the things that ought to be transferred. The discussion would occupy a great deal of time, and he thought that, in the end, the County Councils would not possess a great many powers they ought to possess, and that they would possess some which they could never exercise with advantage to themselves or to the community.

MR. RITCHIE said, he did not see any great objection to accepting the Amendment of his right hon. Friend (Mr. Chaplin). There would certainly, in accepting the Amendment, be the advantage alluded to by the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler)—the Committee would be spared a long and very technical and intricate discussion with reference to the provisions in the Schedule of the Bill. It was certainly true also that the proposal placed on the responsible Government of the day the duty of considering, item by item, whether or not some of the powers now possessed by the various Government Departments might not safely be transferred to the County Councils. He would like, while saying that much, to say a word or two as to what he thought was a misconception which existed in the minds of some hon. and right hon. Gentlemen who had spoken. His hon. Friend (Sir Matthew White Ridley) seemed to think that, under the provisions of the Bill, the power would be transferred to the County Councils and the Councils of those boroughs which appeared in the Schedule to execute certain works such as harbours, and he thought his right hon. Friend said various other works. Let him point out that, so far as a county was concerned, and so far as all the boroughs specified in the Schedule were concerned, no power whatever with reference to any proposal for erecting works within their own area and which they would promote would be transferred to them by the Bill. Both with reference to counties and also with reference to boroughs in the 4th Schedule all Provisional Orders which were required for the purpose of executing work which they, as a Council, promoted, would have to be obtained from the Government Department as they were now obtained. It was perfectly clear, therefore, that whatever powers it might be proposed to confer on County Councils with reference to schemes proposed by Companies within their area, or by District Councils within their area, or by any other Body—it was perfectly clear that schemes of that kind were on a totally different footing to schemes of which the County Councils themselves were the promoters. While it might be perfectly right and proper to give these powers with reference to schemes promoted by authorities within the area of a County Council, it would not be right or proper that the County Councils should have the power of issuing Provisional Orders for schemes of which they themselves were the promoters. The right hon. Gentleman the Member for South Leeds (Sir Lyon Playfair) alluded to a question affecting the health of the country.

He (Mr. Ritchie) need hardly say he should be the last man in the House to propose anything which he thought would be disadvantageous to the general health of the community, and no one recognized more than he did the immense services which had been performed by the medical officers of the Local Government Board. Allusion had been made by some hon. and right hon. Gentlemen to the fact that representations had been made to the Local Government Board from boroughs to the effect that they would very much prefer to remain under the control of the Local Government Board than to have power exercised over them in this respect by a County Council. He was perfectly aware of that feeling. He was, he confessed, not aware it existed to such an extent that he was convinced now it did, for previously to the introduction of that Bill he had read of objections which had been again and again raised as to what was sometimes called the arbitrary exercise of the powers of the Government Department. There could be no question that, at any rate at some period or other, this feeling did exist to a very considerable extent; but he had become convinced now that that feeling had been replaced almost by feelings of regard and even of affection on the part of boroughs for the Board over which he had the honour to preside. Of course, the Committee knew perfectly well what the object of the Government was in making this proposal. Their object was that a system of decentralization which had been so often called for should be established. They thought that, at any rate so far as many of the powers they proposed to transfer were concerned, they might be fairly handed over to a large representative Body, such as they hoped the County Councils would be, who would probably be better judges than a Central Department of the wishes and wants and requirements of the localities under their jurisdiction. He was now convinced that the boroughs at any rate, and also many other Bodies in the counties, had such a complete confidence in the way in which the Local Government Board administered the powers which were conferred upon it, that they preferred that the Board should have the administration and control, rather than that it should be handed over to the County Councils—they would rather bear the ills they had than fly to those they knew not of. He was glad this was so, because he thought it was a very great indication that in recent years, at any rate, the powers which had been wielded by Government Departments had been exercised wisely and to the public advantage. That indication was fairly given through the representations which had been made on the part of boroughs, and it had to some extent reconciled him to a proposal which he could not help saying was in some measure a weakening of the Bill the Government had introduced. But he did not understand that the Amendment of his right hon. Friend (Mr. Chaplin) was proposed in that sense—it was rather that what was to be done should be done tentatively, and that full consideration should be given by the Government of the day to every one of the proposed transferences before it was made. It was in this spirit they accepted the Amendment of his right hon. Friend. The acceptance of the Amendment would certainly have the great advantage which had been pointed out, that the Committee would be spared a long and intricate and technical discussion with reference to the different powers specified in the Schedule. He therefore proposed, on the part of the Government, to accept the Amendment of his right hon. Friend.

MR. LAWSON (St. Pancras, W.) said, he wished to understand how far this Amendment would go. Did the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) understand that the Amendment would apply to the County of London and its Council? The County of London stood in an entirely different position to other counties in the country, and he was bound to say that, so far as London was concerned, this Amendment would be most mischievous in its operation. He had regard particularly to the powers of the Home Office, and he presumed that if this Amendment were carried, those powers would be retained by the Home Secretary. That was not the desire of the ratepayers and citizens of the Metropolis. These proceedings seemed to him to show the absurdity of trying to treat London as if it were on all-fours with the other counties which were dealt with in the Bill. He trusted the right hon. Gentleman would con-

sider this point, and make a statement in reference to it when they came to the London clauses.

MR. RITCHIE said, that, so far as he understood the Amendment of his right hon. Friend, it merely provided that the transference of these powers should take place by means of an Order in Council. It was quite evident that if London could not be considered separately, as he thought it could, power would remain to the Government of the day to make transferences which hon. Gentlemen thought it would be advisable to make. With reference to London, the Government had always had in their minds that when they came to the clauses dealing with the Metropolis separate and full consideration should be given to the peculiarities of the position occupied by London.

MR. LAWSON said, that the fact that the powers could be transferred by Order in Council was no guarantee to hon. Members. They found the Home Office extremely unwilling to surrender its prerogatives; and what they wanted to get was an absolute assurance on the point. When they came to the London clauses they would certainly press the right hon. Gentleman in respect to this matter.

MR. STANSFELD (Halifax) said, that it appeared to him that this was a clause requiring very careful consideration and treatment, and he was rather sorry the right hon. Gentleman had come to the conclusion to throw overboard entirely the 1st sub-section, and practically to retain only the 2nd.

MR. RITCHIE: No.

MR. STANSFELD said, he wanted to be quite sure he did not misunderstand the right hon. Gentleman. He understood the right hon. Gentleman accepted the principle of the Amendment of the right hon. Gentleman the Member for the Sleaford Division (Mr. Chaplin). What the right hon. Gentleman proposed was to transfer no powers from the Secretary of State for the Home Department, or from the Board of Trade, or from the Local Government Board, by the operation of this section, but to take power to the Government of the time being to transfer no powers from these and other Departments to the County Councils on the responsibility of the Government of the day. Did he rightly understand the matter? [MR. RITCHIE assented.] Then, practically speaking, he was right in saying the right hon. Gentleman dispensed with the first part of the section, which transferred powers by virtue of the section itself, and he preferred to rely on the 2nd sub-section, which dealt with the transference of power by Order in Council. He (Mr. Stansfeld) regretted the action of the right hon. Gentleman. He knew the right hon. Gentleman had had reason to modify the proposed provision in the Bill for the transference of powers. He was aware that a deputation of boroughs waited upon the right hon. Gentleman, and he was aware of the impression which that deputation produced upon the right hon. Gentleman's mind; and, therefore, he expected that the right hon. Gentleman would have himself proposed to reconsider this Schedule, and to have brought forward an amended Schedule at some future time, containing powers which, on more mature consideration, he thought it advisable to transfer. He understood, on the contrary, that the right hon. Gentleman elected to give up that opportunity, and preferred to leave the transference of powers entirely to future action. Then they came to the question of method. He (Mr. Stansfeld) had an Amendment to the 2nd sub-section, and perhaps he might be allowed to state his objection to that sub-section. He could quite understand a proposal that by agreement between the Government of the day and the Department concerned the transference of powers should be done by Provisional Orders involving the necessity of a confirming Bill, so that the matter might be certain of arresting the attention of Parliament; but that was not the proposal of this clause. The proposal of the clause was that a scheme when originated should lie on the Table for 30 days, and that, if it was not objected to, it should practically become law—that the Order in Council should issue as a matter of course forthwith, and that there should be no appeal to Parliament. It must be perfectly well known to Members of the Committee that, in the first place, such a scheme might lie on the Table and arrest no attention; and that, secondly, the scheme might arrest attention, but that hon. Members might be unable to get any opportunity of discussing it. This difficulty was much larger under the new Rules than under the old, and

he regretted to say that there was no guarantee, under the 2nd sub-section as it stood, that the Government of the day might not on their own motion put schemes on the Table for the transference of powers from any Secretary of State, or from the Board of Trade, or the Local Government Board, or the Education Department, or from any other authority having powers within a county, and there was no guarantee that the powers might not be transferred without Parliament having an opportunity of discussing them. By adopting this Amendment the House would wash its hands of the whole business; it would relinquish all authority and power, for it would delegate its authority practically to the Government of the time being, and he was bound to say that that was a delegation and abandonment of responsibility and power which the House ought not to contemplate.

MR. RITCHIE said, he did not want to detain the Committee unnecessarily; but, of course, these were matters, and there were many other matters in connection with a great Bill like this, in regard to which there might be large and perfectly legitimate differences of opinion. The Government had made proposals which they thought were the best under the circumstances. When matters of this kind came to be discussed in a business-like way, and when a desire was shown on the part of all persons in the House to make the Bill as workable and as good a Bill as possible, he should be sorry, on the part of the Government, to attempt to set up a reputation for infallibility as to the proposals they made. The Government were perfectly willing to consider all suggestions, especially when they were made by so experienced a Member of the House as the right hon. Gentleman (Mr. Stansfeld). Although they had provided that certain transfers might be made by means which the right hon. Gentleman had alluded to — namely, the laying of the schemes on the Table of the House for a certain number of days, he was perfectly willing to fall in with the suggestion the right hon. Gentleman had made, and provide that the transference of powers should be made by a Provisional Order. He did not see the slightest objection to the proposal of the right hon. Gentleman, and he was anxious to say so frankly, and at once.

MR. WOODALL (Hanley) said, he hoped the right hon. Gentleman the President of the Local Government Board would not consider he was wasting the time of the Committee if he made clear the altered position of affairs. He (Mr. Woodall) was not quite clear what was to be the position under the altered circumstances of the boroughs in the Schedule and of the boroughs which were not included in the Schedule. Would such powers as were proposed to be given by Order in Council to the new County Authorities be also conceded to boroughs with a population of 50,000?

MR. RITCHIE said, he had endeavoured to express broadly what they conceived to be the position of things with reference to the counties, and also with reference to the boroughs which were to be treated as counties. It was quite clear that schemes promoted by Governing Bodies of boroughs and counties should not be brought into effect by means of Provisional Orders issued by the Governing Bodies themselves. It was quite clear that if a borough in the Schedule desired to promote a scheme within its own area, it would not be right or proper it should have the power to issue the Provisional Order, the borough being, as it would be, an interested party.

MR. WOODALL said, he thought it was perfectly clear that if a County Authority or a borough of 50,000 inhabitants promoted any particular measure, it must come, as at present, to Whitehall. He hoped it would not be irregular in him to refer to the Amendment of which he had given Notice, and in which he asked that whatever might be the powers of the new County Authorities, the municipal boroughs might be left, as at present, the right of appeal to the Central Authority. The right hon. Gentleman the President of the Local Government Board had very truly said that there was a time when the relations between boroughs and the Central Authority involved a certain amount of friction. Happily, the experience of years which had brought the best minds of the Provinces into harmonious relations with the very competent central office had insured a continuous and wise policy, which had been found to work very satisfactorily, and that, at any rate, they hoped would not

be disturbed by any changes the right hon. Gentleman brought about, especially in regard to Provisional Orders. Suppose a borough of a less population than 50,000 was left to appeal to the new County Authorities. What possible assurance could it have, after a decision had been arrived at, that the Bill would obtain Parliamentary assent? There was no assurance at all that the policy of the County Authority in Staffordshire would be at all akin to that which would find favour in Dorsetshire, and, therefore, they could hardly expect a Government Authority to make itself responsible for the assent to these Provisional Orders. He and his hon. Friends felt strongly there was a probability of great inconvenience and great conflict arising, and, therefore, they hoped the existing system would be continued. Whatever concessions the right hon. Gentleman was prepared to make to the County Authorities in deference to the views so forcibly expressed by the hon. Baronet the Member for Blackpool (Sir Matthew White Ridley) and others who had spoken, he trusted that those for whom he pleaded would be exempted from the operation of the concession.

MR. HENEAGE (Great Grimsby) said, that the position of some boroughs was very peculiar. The population of Great Grimsby, which he had the honour to represent, was 53,000. It ran over the borders of the borough into various hamlets all round, the population within the borough itself being 35,000. It appeared to him that under this Bill, even with the Amendment of his right hon. Friend (Mr. Chaplin), any transference of authority from the Local Government Board would enable the County Council to administer the various matters delegated to them in connection with Great Grimsby, whilst they would really know nothing about them. He, therefore, hoped that with regard to Great Grimsby, or any other borough in the same position, the right hon. Gentleman would consider whether it could not be left entirely under the Local Government Board, in the same manner as the boroughs in the 4th Schedule.

MR. HALLEY STEWART (Lincolnshire, Spalding) said, he did not quite understand the position at which they had arrived. It seemed to him that instead of the Government having made a simple concession they had revolutionized the position. The proceeding of the Government had taken him quite by surprise. He and his hon. Friends were expecting that the powers specified in the 1st Schedule would positively belong to the County Councils, but in a moment the Government retreated from its position. The Government now reserved to themselves the authority to transfer these powers, and no guarantee whatever was given that any one of the powers would eventually be given to the County Councils. He heartily supported the appeal made by hon. Gentlemen around him, that they should have some opportunity of considering this question. He did not desire to move to report Progress; he would not do anything unfriendly to the Government, but he thought they ought to have time to consider the question. The Government were really emasculating the Bill; they were now taking away all its strength, saying that the House must trust the Government of the day and its wisdom and its propositions. That might be wise in itself, but the change made was so enormous that hon. Members had a right to ask for time to consider the matter.

MR. RITCHIE said, the hon. Gentleman (Mr. Halley Stewart) said this was an enormous change. What did the change consist of? That, instead of transferring at once by an enactment in the Bill all these powers to the County Councils, they had yielded to the argument used not on one but on both sides of the House that it would be advisable, while taking the power to make all these transfers, that the transfers should not take place at once. That practically amounted to all his right hon. Friend (Mr. Chaplin) proposed. That proposal had been suggested by Gentlemen of very large experience in the government of counties and of boroughs. The Government thought the appeal made to them on this occasion was one of a reasonable character, and one which could not be fairly resisted. The only alteration made was that, instead of its being enacted in the Bill that these powers should be transferred, they should be transferred by Orders in Council.

MR. CHANNING (Northampton, E.) said, he thought the Government ought to understand that there were hon. Members on the Opposition side of

the House who were wholly opposed to the Amendment, and stood distinctly by the principle of handing over these powers definitely by Statute. There was an Amendment on the Paper in the name of the right hon. Member for Halifax, to strike out Sub-section 2 of the clause. Now he was prepared to support that Amendment precisely on the ground that they thought the transfer of these important and drastic powers under various Acts to the County Councils, should only be done after fair and full discussion in the House. It might take a long time to discuss the Schedule; but he and his hon. Friends preferred to sit several weeks longer, if necessary, to carry out the only sound principle that these matters should be dealt with by discussion in Parliament, and not left to the Government to hand over or not.

MR. HOBHOUSE (Somerset, E.) said, he was afraid that in the face of the great difference of opinion with regard to the clause, they were in some danger of losing the clause altogether. There was no doubt that this was an Amendment which might postpone indefinitely the transference of these powers to the County Councils, but he confessed he should not be disposed to oppose the Amendment if the Government would give them some assurance that they would not go further than this in the direction of emasculating the clause. He felt some fear on the subject because this was only the first of a series of Amendments standing in the name of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin), and though this discussion had been of a very general character, and though many hon. Members on both sides of the House had directed their attacks against other portions of the clause, the Committee had not yet heard one word from the right hon. Gentleman the President of the Local Government Board in defence of the other provisions of the clause. He desired to point out to the Committee, with regard to the most important powers which were proposed to be transferred under the clause—the Provisional Order powers at present exercised by the Board of Trade, that it was extremely desirable that they, at any rate, should be transferred either now, or at some near time, to the Bodies which were about to be created in the counties. This measure, they had been told, was to be one of considerable decentralization. He confessed he thought that if this clause were removed from it, it would become a measure of mere transfer, and not of decentralization at all. He did think they ought not to lose that great opportunity of securing that some of these powers which at present over-burdened the Central Departments and occupied the time of Parliament should be conferred on the Local Bodies they were now about to create. He wished to draw attention to the fact that the Government were already committed in this matter. Last Session they passed an Allotments Bill, and in that Bill was contained a provision for conferring on the new County Councils, as soon as ever they were created, powers which far transcended in importance many of the powers which were contained under this clause now under discussion. Under the Allotments Act the County Authority, as soon as it was created, might exercise the power of making the purchase of land compulsory in place of the Local Government Board, who exercised it at present. Now, none of the provisions—he thought he was right in this—in Part 2 of the Schedule of this Bill would give the County Councils power to take land compulsorily. Take, for instance, the Provisional Orders under the Tramways Act. There were most careful safeguards against any abuse of the powers of the Board of Trade at present, and all those safeguards would still remain, and would be in many respects strengthened, when the powers were transferred to the new County Council. He thought if hon. Members would take the trouble to examine the Acts under which Provisional Orders were made, they would see that there were careful safeguards in all particulars, and that it would be very difficult for the new County Councils to abuse their powers if they wished to. He was surprised at the position taken up by the right hon. Gentleman on the Front Bench on that (the Opposition) side of the House. They had heard a great deal about trusting the people and extending in all possible ways the power of the County Councils. They had now reached the limit to which right hon. Gentlemen on these Front Benches were prepared to trust the people, and they

had also reached the point at which they were inclined to assist right hon. Gentlemen opposite in diminishing, rather than increasing, the powers of the new County Bodies, and therefore in preventing, as he feared, many public spirited men from taking a part in the work of those Bodies. He thought that the Government, if they accepted this Amendment, which, for certain reasons, he thought they might fairly do, might give them some promise that they would not go further to meet the right hon. Gentleman opposite (Mr. Chaplin), and remove from this clause altogether any reference to the more important powers contained in the Schedule.

MR. C. T. DYKE ACLAND (Cornwall, Launceston) said, that, unfortunately, he had been absent from the House for a few moments, and had not had the advantage of hearing what had been said by the right hon. Gentlemen sitting near him; but he ventured, having been for many years associated with county business, and being most anxious that this Bill should be a thorough success, to express a hope that the Government would not yield on this Amendment. They had heard a good deal about the thin edge of the wedge, and it seemed to him that this was an attempt to insert it. They were now, for the first time on this clause—one of the most important clauses of the Bill—they were now told that the advantages which they believed the measure to possess might gradually be whittled away. If ever there was a case in which the thin edge of the wedge was inserted, this was it. If the Government were earnest about the Bill, as he believed they were, one of the most important points they had to bear in mind was that the rural electors of the country districts should understand thoroughly what they were about in the most important act they had to do in the first inception of these County Councils. They ought to know the exact purpose for which they were going to elect the gentlemen they were to trust. Were they to be empowered to deal fairly and frankly, and with a full sense of responsibility, with all the local questions which came before them, or were they to have small powers, not knowing how the other powers were to come, how they were to be left to them, or what they were expected to do? Let them know what duties the members of the County Councils were to be expected to perform, and then they would be able thoroughly to trust them to perform those duties.

MR. HENRY H. FOWLER said, he regretted that his hon. Friend (Mr. C. T. Dyke Acland) was not present when the arguments which had been used in the case had been set forth by right hon. Gentlemen sitting on that (the Front Opposition) Bench. This was a question which ought not to be settled on Party lines, and he hoped they would, without being led away by any such spirit, advantageously carry out all their intentions in making these County Councils efficient and satisfactory. He was glad to hear the hon. and learned Member for East Somersetshire (Mr. Hobhouse) was so far advanced as to trust the people; because he (Mr. H. H. Fowler) thought that in previous discussions and Divisions on the Bill the hon. and learned Member had not supported those on that (the Opposition) side of the House who advocated trusting the people. That, however, was not a question of trusting the people, but one of practical administration and legislation; and what they contended, and would continue to contend, was that it was desirable, at the proper time, that these powers should be transferred not only to the County Councils but to the Borough Councils. The Amendment of the right hon. Gentleman opposite (Mr. Chaplin) said that at present that should not be done by this Statute, and for the reason that there were certain powers mentioned in the Schedule which ought not to be included. He was prepared himself to argue that at the proper time, and also that there were a great many powers which ought to be included, and which were not mentioned in the Schedule. Now, what was proposed was that these transfers should be effected from time by Orders made by Parliament—embodied in Provisional Orders which should require the sanction of Parliament—under which these duties should be performed by the County Councils. The practical objection to the immediate transfer of these powers was that the County Councils had not and would not for some time possess that costly experience and that expensive staff required to carry out

these Provisional Orders and various other county matters which were at present in the hands of the Board of Trade and this House. To raise the question of trusting or not trusting the people upon a matter of this sort was altogether beside the mark. He yielded to no man in his wish to make the County Councils as dignified and powerful and successful as they could be made, and yet he was not prepared, because he desired that, to put the Councils in a position in which they would be practically impotent—to put them in a position to do the things they ought not to do, and to leave undone those things which they ought to do. They would not have the machinery at present to carry out their legislative duties. With reference to the Amendment of the right hon. Gentleman opposite, it only dealt with the question of Section 1. When they came to the question as to Section 2 they would have to deal with the subject of education, for instance, with the question of transferring the powers as to education to the County Councils, and he should not be one to agree to that. But as to transferring certain powers from the Board of Trade and the Local Government Board, that implied merely the transference of administrative acts relating to sanitary matters, to water, piers and harbours, gas, electric lighting, and so on, the performance of which would require a staff such as was in the hands of the Government Departments. He must protest against the extraordinary position in which they would find themselves placed, if this Amendment were rejected, that the Municipal Authorities of such towns as Birmingham, Manchester, and Liverpool would not be allowed to discharge those duties, though they had the necessary staff, whilst the County Councils, though they had not the staff possessed by those Municipalities, would be called upon at a moment's notice to discharge these duties. So far as those Boroughs which were Counties were concerned, it was provided that this jurisdiction was not to be conferred upon them. It could not be, because they would be exercising jurisdiction over themselves—and there was a jurisdiction to be exercised between contending jurisdictions. His object in rising, however, was to say this—that whether they were right or wrong from an administrative or legislative point of view, this was a practical question. It did not raise the question of trusting or mistrusting the people at all, but simply a question as to what was the most economical and efficient way of doing the work.

MR. CHAPLIN said, he was bound to express his surprise that an hon. Member on the Front Opposition Bench, who had been a Member of a Government and had had considerable experience, should come and take part in a debate on a subject as to which he had not heard a word that had been said until he himself rose. The hon. Member, he supposed, was not aware that the Amendment had been discussed for some time and that it was accepted by almost everyone who spoke on the Opposition side. ["No, no!"] Well, it was accepted by almost every Gentleman on that side who spoke up to within the last few moments, and by the Committee generally. Everyone appeared to be in its favour, and the Government, seeing that such was the case, had agreed to accept it. Now, he wished to say a word or two in reply to the hon. and learned Member for East Somersetshire (Mr. Hobhouse). He thought that the hon. and learned Member was under some misapprehension. He spent some moments in pointing out to the Committee how entirely the position of the Allotments Act would be altered by the acceptance of the Amendment. He (Mr. Chaplin) hoped the hon. and learned Member would pardon him for saying that, unless his memory deceived him, the hon. and learned Member was entirely mistaken on that point. The position of the Allotments Act would not be altered one iota by the acceptance of the Amendment, for the proceedings under that Act were governed by the Act itself, and were provided for in the Statute. Therefore, on that ground he thought the hon. and learned Member need be under no apprehension whatsoever. Then the hon. and learned Member spoke of the string of Amendments standing in his (Mr. Chaplin's) name in regard to these questions, and said that he was perfectly prepared to accept the present proposal, and to agree with the Government, provided they would give an assurance that they would accept no more of his (Mr. Chaplin's) Amend-

ments, and go no further in that direction. Well, he (Mr. Chaplin) had three Amendments on the Paper dealing with this subject, but two of them were thoroughly consequential. He had another Amendment down, and it was precisely the same as one standing in the name of the right hon. Gentleman the recognized Leader of the Opposition upon this question—namely, the right hon. Gentleman the Member for Halifax (Mr. Stansfeld). He thought that with these observations he had dispelled the apprehensions of the hon. and learned Gentleman opposite (Mr. Hobhouse). ["No, no!"] Well, perhaps it was impossible to dispel the hon. and learned Member's apprehensions; but, at all events, he had done his best to do so, and, at any rate, he had dispelled the aprehensions of most of the Members of the Committee, if they had entertained any. He now turned to the hon. Gentleman who had only come into the House within the last few minutes, and with regard to him he would say that he had come after they had been discussing this matter now for a long time, and when the period was approaching that they should go to a Division. ["No, no!"] He was speaking with a desire for the real progress of the Bill—an anxiety which hon. Members opposite, when they commenced these discussions, all seemed to share. Nearly all the Members on the Opposition Benches, when the measure was first introduced, expressed themselves in favour of it, and anxious to see it carried to a successful issue. Well, it must be obvious that when a question had been thoroughly discussed on both sides of the Committee, if at the last moment Gentlemen were to come trooping in who had heard nothing of the debate, and rushed blindly into the fray, discussing the whole thing over again, the Committee might sit here from now to the crack of doom and never come to a conclusion of their labours. He thought the time had come when a decision ought to be taken, and he, therefore, claimed to move "That the Question be now put."

THE CHAIRMAN declined to put the Question.

MR. C. T. DYKE ACLAND said, he must just remark, in reply to what had fallen from the right hon. Gentleman opposite, that he entirely adhered to the opinion he had already expressed. He believed it to be of the utmost importance that the electors should know exactly what it was that they were to elect representatives to do, and he ventured to point to this difference between the boroughs and the County Councils. It must be remembered that there could be borough districts as well as rural districts. In the borough districts there was already a great amount of civic life, and there was none in the rural districts. The rural districts would approach this problem from an entirely different point of view, as an entirely new thing, as a new kind of life they were to enter upon. Well, the desire was to make that life as real as possible. He ventured to suggest that the object of the hon. Gentlemen, who had been supporting this Amendment, would be equally well—in fact, from his point of view, much better met by dealing with the subject in detail in the Schedule. Let them settle that certain powers, whatever they were to be, should be definitely transferred for good, and then when it came to discussing what the powers were to be, let the Committee settle them one by one, with their eyes open, knowing that they would be transferred to the County Councils.

MR. HOBHOUSE said, that as the right hon. Gentleman opposite (Mr. Chaplin) would not allow him to make an explanation in the midst of his speech, perhaps he might be permitted to do it now. He was fully acquainted with the provisions of the Allotments Act; and he had quoted that Act for the purpose of showing that the Government, with the full consent of the Committee, had conferred on the County Councils, although they were not then in existence, a stronger power than any which it was proposed to confer upon them by this Bill.

MR. BRADLAUGH (Northampton) said, he had listened with great attention to the discussion which had taken place, because he had felt considerable doubt as to the operation of the Amendment as affecting this section. While he did not wish, in any way, to put any blame on the Government for the course they had taken, after hearing such discussion as had occurred up to the time when the right hon. Gentleman who was in charge of the Bill spoke, he ventured to suggest to the Committee that they would be rather taking a

wrong course if they adopted the Amendment now, and that the proper policy would be to discuss the objections which were raised to the transfer of these powers to the County Councils when they were to deal with those powers in the Schedules.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, it seemed to him that they were in an almost impossible situation. The Bill seemed to contemplate the transfer of certain powers now exercised by Government Departments to the hands of the County Councils; but there was great doubt as to what powers should be transferred and what should not. The Government said they could get over the difficulty by transferring nothing at all, leaving it to a Government of the day to transfer the powers one by one by an Order in Council. That seemed to him to be an abnegation of the powers of the House, and altogether a most unsatisfactory method of proceeding.

MR. LAWSON said, he did not think he ever heard any argument more unreasonable than the contention of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin)—namely, that the debate on what was practically one of the most important Amendments of the Bill should come to an abrupt termination before hon. Members had had time to consider it in all its bearings. The right hon. Gentleman himself had spoken twice; but the right hon. Gentleman himself had not had an opportunity of hearing what Liberals representing rural constituencies on that (the Opposition) side of the House had to say to it. As the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) said, this was not a Party question, but it was a question of the municipal boroughs as against the counties and the Metropolis, and he must say that it was most unreasonable that the Government should expect the matter to be regulated wholly by the wishes of the hon. Gentleman the Member for Stoke, who simply spoke on behalf of the Municipal Corporations. He should like the right hon. Gentleman the Member for East Wolverhampton to consider the immense number of questions involved in this incidious Amendment, and the interest which this subject must naturally have for rural districts which were expecting to have their County authority. No less than 40 different powers were to be transferred under the 3rd part of the Schedule, as it stood from the Local Government Board to the County Councils, and now it was proposed that these powers should not be transferred in the Bill, but should be dealt with singly from time to time by Orders in Council. It appeared to him (Mr. Lawson) most derogatory to the dignity of the County Councils to proceed in this way. It seemed to him that if it were desired to get good men to serve and work upon them, every possible means should be taken to render them dignified and far-reaching in their functions; but now it was hastily proposed by this Amendment to cut away the greater part of the work that would be given to the Councils under the Bill. He could well conceive that there were a great number of Members representing rural constituencies who had a claim to be heard, and who would claim to be heard before the Committee came to a decision on this most important point.

MR. CONYBEARE (Cornwall, Camborne) said, he was glad the hon. Gentleman who had just sat down had spoken as he had done, because as a Metropolitan Member he showed what sympathy he had with the Liberal Members for the counties. It was a strange kind of plea for ending this discussion for the right hon. Gentleman the Member for the Sleaford Division to tell the House that they had had discussion enough when no Members for rural constituencies on the Liberal side of the House had spoken, and when the right hon. Gentleman himself had taken up a considerable portion of the time of the Committee by two speeches. The fact was that the Government by accepting the Amendment, and the Front Opposition Bench by agreeing to the course the Government were taking, thought they could terminate the discussion. [*Cries of* "Divide!" *and interruption.*] If he were interrupted in this way, he would promise the Committee to occupy the whole 25 minutes which remained before the hour at which the Chairman left the Chair. It was all very well for the Government to say that they were anxious to make this Bill a reality. If they kept this Amendment they clearly showed they were anxious to do nothing of the kind. There was something in the way

of flesh and blood and skin on this skeleton of a Bill when it was introduced, but the Government and their supporters were now working like vultures, pecking away every bit of substance from the framework of it, and he (Mr. Conybeare) ventured to think that if this Amendment were passed there would be nothing of the measure left but a bare skeleton. He (Mr. Conybeare) and those who sat around him had the strongest objection to having everything left in a state of chaotic confusion by the Amendment proposed. He could not understand what the Front Bench on that the Opposition side of the House were thinking of. They proposed to accept an Amendment which struck at the root of everything valuable in the Bill; and all he could say was, that he and his Friends as County Members, sitting on the Opposition side of the House, intended to make their voices heard in the matter. They did not intend to have their birthright sold for a mess of pottage. They did did not intend to have these County Councils established with practically no functions and no duties worth the name left to them to perform. It was simply reducing the whole idea of the County Councils to a miserable farce and sham. He had thought it was a sham from the beginning, but now he was certain of it. There was no reason why hon. Members sitting on the Opposition side of the House who were frankly in favour of democratic institutions should make themselves a party to such a sham, and they who represented county constituencies—whatever hon. Gentlemen sitting above the Gangway might do—did not intend to allow this Amendment to pass without a strong protest. It had been said that this was a question between boroughs and counties. He believed it was. At any rate, those who had spoken from the Opposition side of the House for the Amendment appeared to be the Representatives of boroughs, and not of counties. If the boroughs thought they would be placed at a disadvantage by this clause being passed in its original form — if they thought that the County Councils would have powers given to them which would be detrimental to the boroughs—that was no reason why the County Councils should be made a sham and a farce. It would be the duties of the boroughs to get these duties transferred to themselves as well, and he could not conceive that there was any reason whatever for the line taken by the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) in arguing in favour of the Amendment, why the county should not have that which would make the County Council a reality and not a sham. It had been pointed out by the right hon. Gentleman the President of the Local Government Board that a difficulty would be created, because, if they clothed the County Councils with the powers contained in the Bill, they would have no efficient or skilled staff to carry them out. He (Mr. Conybeare), however, maintained that that was not the case. It might be that at the present the Local Government Board had all the skilled and efficient and trained staff that might be necessary to carry out these powers. Well, what was easier than to place the services of these trained officials at the disposal of the County Councils? If the powers were taken away from the Government Department and transferred to the County Councils, those who had hitherto carried out those powers could follow the transfer and become the agents of the County Councils, as they had hitherto been the agents of the Local Government Board or the Board of Trade. He ventured to say that they could find plenty of men able and willing to carry out these powers if they were transferred to the County Councils. The fact that the counties had no such trained staff at this moment was not a sufficient ground for refusing to grant the powers claimed by the Representatives of the people. He wished to point out the disadvantage of adopting either of the Amendments under consideration. One of these Amendments was the proposal of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin), that Orders in Council should transfer these powers, from time to time, to the County Council. He believed hon. and right hon. Gentlemen on that (the Opposition) side of the House had expressed their preference that Provisional Order Bills in the transfer of these powers rather than Orders in Council. So far as he was concerned, he did not care which was adopted, as he believed that either would be very mis-

chievous. Practically no one was aware of what was being done when measures of this kind were passed. Provisional Order Bills were placed on the Table at the time of Private Business; nothing was said about them and hardly anybody knew what they were. He would illustrate that by pointing to what had taken place this Session in regard to a Bill connected with piers and harbours, promoted by the Torquay Local Board. Hardly anyone knew the effect of that Bill, and nothing might have been heard of it if it had not been that certain events which had occurred and with which the House was familiar. The people in the districts affected, that was to say, the ratepayers, were not consulted with regard to these Bills, and did not know what was going on in connection with them; and if it were not for the vigilance of some Members of the House, it was possible that in most cases nothing would be known of these measures until they had become Acts of Parliament and practically irrevocable. To suppose that the important functions of these County Councils should be left over and not transferred to them, and then be smuggled into existence, as he might say, in the form of Provisional Order Bills, was reducing the whole question to a farce and an absurdity. As a sincere admirer of the effort of genius of the right hon. Gentleman who had produced this Bill, he was most anxious that it should be made a reality and not a mere sham. There was one other reason why they should protest against this proposed abnegation of their powers as a Committee of the House of Commons, and that was, that the one principal reason why they had been so desirous of seeing a Bill of this kind passed, was in order to relieve the House of Commons of a great deal of unnecessary work. He and his Friends supported the Bill as a measure of decentralization. If any powers were to be conferred by Provisional Order Bills——

MR. HOWORTH (Salford, S.): I beg to claim that the Question be now put.

THE CHAIRMAN: There is still a quarter of an hour during which the debate can be continued.

MR. CONYBEARE said, he was not going to take up that quarter of an hour, but as the Representative of a county, he had a perfect right to express his opinion on this question. He was saying that they regarded this measure—and had always regarded a measure of this kind—as a necessary measure of decentralization—to relieve the Boards of Guardians, and to take over the various functions exercised by Government Departments, and vest the management of the affairs of local districts in the hands of elected representatives of those districts. He objected to a measure which would throw on their shoulders a vast deal more business than they had to perform at the present time. On these grounds, as well as on the ground—though he was sorry to say some of his own Party rather repudiated it—on the ground that they wished to repose every confidence in the representatives of the people on these County Councils, he objected to limiting and hedging about and destroying the powers to be conferred on the Councils, before they were brought into existence, by the Amendment under discussion.

MR. FULLER (Wilts, Westbury) said, he wished to remind the Committee of the fact that in almost every county in England the provisions of this Bill had been most carefully considered by the Court of Quarter Sessions, and, so far as he could gather from reading reports of their proceedings, not one of them had expressed any feeling of distrust or fear in any way that the County Councils would not be competent to discharge these functions. This point under consideration was, he thought, a most important one, involving the most important of the powers to be transferred by Section 8 of the Bill. If the section had not been generally approved of by the Courts of Quarter Sessions throughout the country, there would have been some clear expression of opinion, on the part of those Bodies, to the effect that the County Councils would not be the proper Bodies to entrust with the discharge of these functions. He was sorry that there should be any doubt on this subject; and in regard to the difficulty of obtaining the machinery sufficient to carry out the provisions of Section 8, they must remember that the machinery could not well be created until some decision had been arrived at as to the work that was to be expected of it He, therefore, thought it a great misfortune that the Government had retreated on this point, and had not at once decided

to hand the powers of Section 8 over to the County Councils, believing, as he did, that they would be perfectly capable of carrying them out.

SIR RICHARD PAGET (Somerset, Wells) said, he should like to be allowed to say a word or two in reply to the hon. Gentleman the Member for the Westbury Division of Wilts (Mr. Fuller). The hon. Member had not discovered that at any meetings of Courts of Quarter Sessions exception had been taken to the proposal to transfer the powers mentioned in this section to the County Councils. He (Sir Richard Paget) would like to call the hon. Member's attention to the fact that at a meeting of a Society consisting solely of Chairmen of Quarter Sessions this point was carefully considered, and it was there agreed unanimously, without any difference of opinion whatever, that it would be in the highest degree unwise to transfer these powers to the County Councils. He wished to say that, because whatever difference of opinion there might have been at the meeting to which he referred, after debate on various other parts of the Bill, this was, at any rate, a point upon which there was unanimity. In the future, no doubt it would be well to transfer the powers to a Body possessing all the necessary attributes; but, for the present, it was thought unwise to transfer them to the County Councils.

MR. STANSFELD said, that before they went to a Division he begged leave to say a few words as to his own personal position in the matter. He had begun his last speech by saying that he had expected that the right hon. Gentleman the President of the Local Government Board would have either revised the schedule or stated that he would revise it. He (Mr. Stansfeld) had said —and he now repeated it — that he thought that would have been the best mode of proceeding. The right hon. Gentleman had not taken that course, however. He (Mr. Stansfeld) could quite understand that the right hon. Gentleman had been tempted and easily induced to avail himself of the opportunity of deferring a subject which would have led to considerable discussion. That was intelligible, whether he approved of the course or not. He had then gone on to say that he was opposed to the Amendment of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin), because he was opposed to Sub-section 2. His objection to Sub-section 2 was not that he thought these powers should only be dealt with by legislation. He thought that they might fairly be dealt with by Provisional Order; but he imagined that the right hon. Gentleman did not contemplate proceeding by Provisional Order, but by Orders in Council, which were not made the subjects of Bills brought in, discussed, and passed into law. He should undoubtedly divide against the Amendment.

MR. RITCHIE said, he thought he had led the right hon. Gentleman to understand that the Government were prepared to accept the proposal with reference to Provisional Orders. He would suggest to his right hon. Friend (Mr. Chaplin) that, in place of the Amendment he had proposed, the words he proposed to leave out should remain in, and these words should be added—

"It shall be lawful for the Local Government Board to make, from time to time, Provisional Orders for transferring."

That would meet the difficulty of the right hon. Gentleman opposite, and also the desire of his right hon. Friend (Mr. Chaplin).

MR. CHAPLIN said, he was surprised to hear the announcement of the right hon. Gentleman the Member for Halifax that he would vote against the Amendment, because it was clearly understood by the Committee that the proposal would be accepted both by the Government and by the right hon. Gentleman and one or two of his Colleagues sitting near him, provided that the suggestion of the Government as to Provisional Orders, which had just been announced, were adopted. That really was the understanding.

MR. STANSFELD said, the right hon. Gentleman was going too far in saying that he (Mr. Stansfeld) accepted this proposal. He had said that he should have preferred another course, and he had passed on to Sub-head 2, with reference to which he himself had an Amendment on the Paper. He therefore had not committed himself to the question. In any case, he had said he should wish for an alteration.

MR. CHAPLIN said, the right hon. Gentleman had certainly given him, and

almost everyone else in the Committee, to understand that he accepted the proposal. This Amendment was accepted by the Government in order to meet the views of the right hon. Gentleman. He (Mr. Chaplin) confessed he was of opinion that the second paragraph of Sub-section 2 was sufficient. He should have been satisfied with that paragraph himself; but as he understood that the Amendment proposed by the Government met the views of the right hon. Gentleman, he would raise no objection to it, and would be prepared to accept it in lieu of his own.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 5, line 24, after the word "day," insert the words "it shall be lawful for the Local Government Board to make from time to time Provisional Orders for transferring."—(*Mr. Ritchie.*)

Question proposed, "That those words be there inserted."

MR. JOHN MORLEY (Newcastle-upon-Tyne) said, it would be felt by the Committee, that a new issue had been raised by the right hon. Gentleman the President of the Local Government Board in order to meet his (Mr. Morley's) right hon. Friend the Member for Halifax. Having regard to the hour, he begged to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. John Morley.*)

MR. CHAPLIN asked the indulgence of the Committee to say a word or two on this Motion. There could be no doubt that there had been a general understanding arrived at as to the acceptance of that particular proposal of the right hon. Gentleman the Member for Halifax and his Friends sitting beside him. An appeal had been made by that right hon. Gentleman to the President of the Local Government Board asking him to assent to the principle that this transfer of powers should be effected by Provisional Orders instead of Orders in Council. Did the right hon. Gentleman deny that? And the appeal was made in such a way as to convey the impression that no other arrangement was possible, and that if the proposal was assented to the matter was concluded so far as hon. Gentlemen sitting on the Opposition side of the House were concerned. He was speaking now of what was heard by a great number of people in the Committee, and it was impossible to put a different construction on it. If they were to depart from understandings of that kind, he did not see how they could hope to go on amicably. The right hon. Gentleman in charge of the Bill had said he was aware of the objection of the right hon. Gentleman the Member for Halifax, and would agree to an Amendment which would remove it. The question was in that way practically closed and settled, but then in came the hon. Member for Launceston, who rushed into the debate without having heard a word of what had been said, and the result was this long wrangle.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): said, he desired to appeal to right hon. Gentlemen opposite. He believed that the right hon. Gentleman who had moved to report Progress and the Committee generally were anxious to make progress with the measure, and he would ask, therefore, whether the principle of that Amendment had not been very fully considered. There had been speeches from the right hon. Gentlemen on the Front Opposition Bench which showed general concurrence with the principle of the Amendment. The Government had no desire to force that proposal on the House; but they were naturally desirous of making progress.

MR. JOHN MORLEY said, he was sincerely sorry he was not able to meet the views of the right hon. Gentleman. The right hon. Gentleman did them (the Opposition) no more than justice, when he said he believed they were anxious that progress should be made with the Bill. ["Oh, oh!"] Yes, speaking for himself, he was anxious to make progress with the Bill. He wished the Committee to recall to its mind what happened last night. When the Committee got to a certain degree of heat—as it had now—they adjourned, and the subject which had caused the confusion was settled that day in daylight, when they met to go on with the Amendments, in an hour. He was persuaded that if they reported Progress now, within half-an-hour or an hour on Friday morning they would be able to see their

way out of the present difficulty, and to arrive at a satisfactory conclusion. As to what was said by the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) the right hon. Gentleman made complaint of the attitude taken up by Gentlemen on the Front Opposition Benches. The complaint could not be a very formidable or serious one, inasmuch as it had not come from and was not endorsed by the right hon. Gentleman the President of the Local Government Board.

MR. CHAPLIN: I claim to move, "That the Question be now put."

THE CHAIRMAN: I do not think there would be any economy of time in putting that Question at this hour.

MR. MUNDELLA (Sheffield, Brightside) said, that the right hon. Gentleman the President of the Local Government Board had stated that he would introduce some other Amendments dealing with the points just now under discussion on some other clause. When those Amendments were put on the Paper they would be able to make satisfactory progress with the Bill.

MR. BRUNNER (Cheshire, Northwich) said, it seemed to him that when a proposal was made, the effect of which was to change the Bill in a vital particular from a compulsory measure into a permissive one, a motion to report progress was thoroughly justified. He thought the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) ought to withdraw the scolding he had addressed to the Opposition and apologize for it.

MR. HALLEY STEWART said, that attention had been drawn to the fact that last night the Committee got into a muddle from which it was extracted this morning in a very short time. The Government themselves had landed the Committee in a muddle this afternoon, and, therefore, were not entitled to ask the Committee for its forbearance.

MR. RITCHIE said, he could not allow the last observation to pass without challenge. The Government had landed the Committee in no muddle so far as he could see, and not only had the Government not taken that step, but the Committee was in no muddle whatever. The issue was perfectly plain and simple to those Members who had been in the House, and he thought he was right in saying that the proposal which the Government had accepted had been accepted after they had reason to believe that it would meet with the entire approval of the Benches opposite.

MR. WADDY said, that some of them on that (the Opposition) side of the House believed that the alteration now proposed was one of principle and not of form. They did not believe that the Board of Trade, or the Local Government Board, would be likely to cut its own throat, and put an end to itself merely for the purpose of having its work done by County Councils. The proposal of the Government was a very dangerous one, and should be seriously and fully debated.

Question put, and *agreed to.*

Committee report Progress; to sit again upon Friday, at Two of the clock.

BISHOP'S AUTHORITY REGULATION BILL.

On Motion of Colonel Sandys, Bill to regulate Proceedings under "The Church Discipline Act, 1840," and "The Public Worship Regulation Act, 1874," and to amend the same, *ordered* to be brought in by Colonel Sandys, Mr. Wardle, Mr. Joicey, and Colonel Saunderson.

Bill *presented*, and read the first time. [Bill 300.]

It being ten minutes to Seven of the clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

COLONIAL GOVERNMENT SECURITIES.

RESOLUTION.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale) said, the Motion he had to bring forward that evening was of a far-reaching and very important character. It referred to a subject with which he was very familiar, and he should not, therefore, have to detain the House at undue length in explaining it. The question he was about to deal with was very anxiously watched by our Colonies and by those in England interested in them. It was also watched with equal anxiety by those persons in the United Kingdom who, as trustees or beneficiaries, were concerned in the investment of trust money. He thought it would be interesting to the House if

he gave one or two details on three points which seemed to him most important in connection with the subject of his Resolution. One of those was the necessity which existed for action in the direction in which he wished the House to travel; the second point was with regard to the actual value, from a financial point of view, of Colonial Government Securities; and the third and last point, which he would deal with very briefly, would be the facilities for action in the direction which he advocated. He would premise that he did not intend to advocate the laying down of any positive law, but that he merely wished that permissive power should be given both to Colonial Governments and to trustees and others who were in charge of trust monies. He might add, that he wished, so far as he could, to give effect to the results of the discussion which took place upon the subject at the Colonial Conference of last year. In the first place, with regard to the necessity for action in this direction, they had absolute proof that such action was necessary, and they also had relative proof in the legislation which had already taken place in recent years. The absolute proof was, that while the wealth of the country placed in the hands of trustees was on the increase, the opportunities for investment of these trust monies was on the decrease. There were various indications, and a great many statistics could be brought forward to prove that the trust wealth of the country was very rapidly increasing. He could mention that death properties for the last 15 years had increased from the annual value of £120,000,000 to £180,000,000; and they also knew that new securities admitted to quotation last year amounted to £175,000,000. These statistics proved that there had been almost a fabulous increase in the relative wealth of the United Kingdom, and he should not be far wrong in saying that during the last 30 years the amount of that wealth had increased by something like 70 or 80 per cent, and it was no unfair assumption to say that the amount of money entrusted to trustees for investment had increased in like proportion. When they turned to the securities available for the investment of trust monies, they found there had not been anything like a proportionate increase in available securities. Consols and other funds under Government control had decreased by £100,000,000, roughly speaking, within the last 30 or 35 years. His right hon. Friend the Chancellor of the Exchequer in his great Conversion Scheme, which had met with so well-merited and such universal success, had relieved this country of a further burden of £100,000,000 of debt. He reminded the House that at the time of the conversion taking place he had a Motion on the Paper which he had not moved, because he did not wish to do anything which would in any way endanger the success of the scheme of the right hon. Gentleman. He would now allude only to one other security in which trustees invested their monies, and that was land; hon. Members would know that in landed securities there has been a great decrease in value, and that there were trustees at the present time who would certainly not invest in landed securities. Therefore, the range of investment available for trustees had decreased; while on the other hand the trust monies had very largely increased. He now came to the relative proof—that was to say, the change which had been effected by recent legislation in connection with this subject. There were a variety of Acts of Parliament under which the Chancery Court or the Judges of the Superior Courts were empowered to make general lists of securities in which trustees could invest. Until quite recently, those general lists included Consols, the Stock of Municipal Corporations in the United Kingdom, and the Stock of the Metropolitan Board of Works, about which latter he would say nothing, because the case of the Board was *sub judice* at the present moment. The Select Committee, in 1883, added to the list first-class railway debentures; then, at about the same period, a list was made of the securities in which capital monies raised under the Settled Land Act could be invested, and that included Chancery Securities, bonds, mortgages, debentures or debenture stock of any railway company of the United Kingdom which had paid a dividend for 10 years. Shortly before that time, they had passed the Trust Act for Scotland, which provided that trustees might, unless specially prohibited by the constitution or terms of the trust, invest funds in East India

Stock or the Stock of any Colonial Government approved by the Court of Chancery or the Court of Session, and also in the bonds of any Colonial Government approved as aforesaid, provided such stocks or bonds were not payable to bearer. Now, in one respect that was precisely what he desired to see made legal in the United Kingdom; but in another respect it was not what he wanted. It met with his approval in respect of the fact that the list included the Inscribed Stock of any Colonial Government; but he objected to it, because it fixed on the Chancery Court or the Court of Session in Scotland the duty of deciding whether any particular Stock was a fit subject for the investment of trust monies. They knew, on the very highest authority, that this Act had been inoperative, because it threw on the Court of Chancery and the Court of Session the duty of deciding between particular Stocks, which necessitated expensive inquiry at the cost of those wishing to invest; but he believed the Judges also felt that in excluding any Stock specifically they were doing an injury to the security which it might not deserve. He had pointed out the necessity which existed for increasing the means of investment for trustees, and he had shown that recent legislation had tended in the direction which he thought desirable. He now wished to call the attention of the House to what he might term the intrinsic value of Government Securities for trust investments, and that was a point on which he was perfectly satisfied many hon. Members were better informed than himself—among them the right hon. Gentleman the Member for South Edinburgh (Mr. Childers), whom he was glad to see in his place. He would mention a few facts which he believed would be interesting to the House. In the first place, these Government Securities were of great magnitude at the present time. He had made out a list of Securities which showed that the total value of British Government Securities was £840,000,000; the total value of British Local Corporation Securities, £78,000,000; Colonial Government Securities and Inscribed Stock, £115,000,000, and Foreign Government Stock, £714,000,000. From that they would see that Colonial Stock had already taken a prominent place in the field of investment. These Colonial Government Securities, he would point out, represented money lent to the Colonies, and chiefly supplied to the Colonies from the hoarded capital of the United Kingdom. He might mention incidentally that the Chancellor of the Exchequer had received in taxes and stamps on these Colonial Government loans a sum which already exceeded £800,000, so that the Exchequer of the country had benefited to that extent directly from loans made to Colonial Governments. But those loans had a greater and more direct value with regard to the United Kingdom. It had been calculated, on the high authority of the Agent General of the Cape Colony, that no less than 85 per cent of Colonial loans were expended on the products of the United Kingdom, especially in machinery, rails and other manufactures. Then he need hardly enlarge on the fact that those loans opened up our Colonies for trade and for the people; and were it not for those loans, which amounted to £230,000,000, the Colonies would not now be, as they were, the most profitable openings for investment and commerce. Another point which he wished to impress upon the House was the rapid growth of the Colonial loans. They had increased in less than 35 years from £5,000,000 to nearly £230,000,000. In the Australian Colonies, in 1851, there was a total borrowed capital of £58,000; now there was a borrowed capital of £140,000,000. The Crown Colonies in the year 1851 had a total borrowed capital of £890,000, and now the total stood at £6,000,000. In North America there was a total borrowed capital, in 1851, of £4,000,000, and the total borrowed capital now was £54,000,000. In South Africa, in 1851, there was no Public Debt, whereas last year the Public Debt amounted to £26,000,000. He would like to call the attention of the House to a few curious and interesting facts in connection with Colonial loans. With regard to the Income Tax, he had only been able to get Returns relating to the 11 years from 1872 to 1883. Those Returns told them that of the Incomes under Schedule C, returnable for Income Tax from what he might call roughly Government Securities, had remained at about £21,000,000 sterling; the incomes from Government Security in India had also remained equal at about £7,000,000. Incomes derived from Foreign Govern-

Sir George Baden-Powell

ment Securities were, in 1872, £9,000,000, and they had fallen in 1883 to £6,800,000, a fall of no less than £2,600,000. He did not know whether this fall in the incomes derived from Foreign Government Securities was due to anything in the nature of repudiation, or non-payment of interest, or to the dislike which the British public had to invest in foreign securities; but he said, while the income from foreign securities had fallen by £2,600,000 in 11 years, the income from Colonial Securities had risen by no less a sum than £3,600,000, and they stood in 1883 at £6,700,000, and that increase he believed was still going on. He thought he had shown, at all events, that the investing public had acquired confidence in Colonial Government Securities, as opposed to the securities of Foreign Governments. They had heard frequently that the Colonies were piling up enormous Debts, although they had no European wars to provide for; and that in some Colonies the Debt represented something like £40 per head of the population. That was looked upon by some as a matter of great grief. It seemed to him that, in considering that fact, they should bear in mind three things. In the first place, they should consider what were the prospects of the Colonies. They knew that the Colonies were in process of enormously rapid growth. He would not trouble the House with details, but to arrive at an index number they might add together millions of external trade, internal trade, shipping, and population. If those elements of prosperity were added together, they would find that, in 1851, the prosperity of the Colonies was represented by 75, and that it had in 30 years increased fivefold, and was now represented by 370. That rapid growth had not ceased, but was still in active progress. Again, they must remember that in natural wealth our Colonies had resources which had not yet been by any means fully developed; there was the fertile soil and genial climate, and there were, as in South Africa, besides mineral wealth many other resources. To those natural advantages they should add all the artificial advantages, such as railways, telegraphs, and other works of civilization, in which the Colonies had made enormous strides. The second point was that our Colonies, especially the self-governing Colonies, were controlled by Englishmen, who, above all things, were practical men and knew that they were trusted at home, because of the enormous mass of private capital sent out from this country to carry on various industrial enterprizes in the Colonies. The third observation he had to make was that they should ask themselves on what these Colonial loans had been expended. He had been into this subject in great detail, and he must ask the House to take on trust the result he was now able to lay before them. He found that of the total of £230,000,000 of Debt, £145,000,000 had been expended on railways; £56,000,000 on harbours and other directly remunerative works; and something like £7,000,000 or £8,000,000 in introducing population to the Colonies. Roughly speaking, 90 per cent of the total amount of loans made to our Colonies by this country had been expended on what he might call directly remunerative works. There remained about £25,000,000 which had been expended on such unremunerative objects as deficiencies in revenue, war expenses, and the floating of loans. He reminded the House that the Chancery Lists of Trust Investments included the Stocks of Municipalities in the United Kingdom; and he ventured to say that no Municipality could show so excellent a record of remunerative expenditure as our Colonies could produce. If they required further proof than that, they had only to look to the Money Market for the value placed on Colonial Securities, and they would find that in the last 15 years interest had fallen, on an average, from 6 to 4 per cent. They would also find that many 4 per cent Colonial Securities now stood at £105 to £106—that was to say, at a premium of from £5 to £6 per cent. A recent Canadian loan, issued at 92½, now stood at nearly 96. He found that all the Colonial 4 per Cent Stocks stood at above £106, except the New Zealand Stock, which was at 99. On the other hand, the price of 4 per Cents, 5 per Cents, and 5½ per Cents in the great countries of Europe did not exceed £100, except in the case of French Stock, which stood at £104. The Argentine Republic Stock stood at £98, and United States 4 per Cent Stock stood at a premium of £129 per cent. He hoped he had said enough to show that while there was a necessity

for increasing the field of investment for trustees, Colonial Government Securities were, at all events, worthy of consideration. He now came to his third subject. It might be asked, if these securities were as good as they were represented to be, how was it that they had not yet appeared on the list of the Court of Chancery. That matter had been fully gone into at the Colonial Conference of last year, and at the commencement of the discussion there were laid before the delegates two objections made some years ago by the Lord Chancellor. Those two objections were very pertinent and very practical, the first of them being that there was no means in this country of suing a Colonial Government, and the second objection was that there was no limit of issue to Colonial loans. The first objection that there was an entire absence of the means for holders of Colonial Stock of enforcing their claims for interest or repayment against Colonial Governments in this country was an objection which, although serious, had been grappled with by the Colonial Conference, and he could state that it no longer existed, because every Colonial Government was perfectly willing to take such measures as would render its Agent easily suable in England in respect of the interest or the repayment of the loans. Then, as to there being no limit of issue, which was a more grave matter, the value of Government Stock depended ultimately on the solvency of the nation raising the loan, and trustees would have to depend on the solvency of the Colony in whose stocks they invested. But there was a remedy, and he ventured to say a practical one, in this case—namely, that in any Act of Parliament which should authorize the Court of Chancery to admit Colonial Government Securities to the list of Trust Investments, it would be possible to state that those investments might be made in the case of any particular Colony, the stock of which —for instance, its Four per Cent Stock —was at par. That would have the effect of establishing an automatic rule leaving the solvency of the Colony to be judged on the London Stock Exchange. But he had not proposed to suggest any remedy of his own; he merely alluded to that to show that there was an automatic means of settling the point. He would like to mention briefly another objection which had been urged, which was that by increasing the credit of the Colonies, as they would do by such a measure, they would be interfering with the Government Funds of this country in respect of their market value. He did not think that would be an unmixed evil. If there were a large demand for our rapidly diminishing Public Securities, some who had money in Consols would get more interest for the price they paid for those Consols. But even if they did some small damage to the credit of the United Kingdom, he imagined that its credit would be on so high a pedestal that the damage would be trifling as compared with the good they would do to the Colonies. He trusted he had given reasons to justify his hope that eventually the Legislature would take such steps as might be necessary to realize the object of the Resolution he had placed on the Paper. He thought that by adopting his proposal, they would be conferring an advantage upon the people of this country, and upon our fellow-subjects in the Colonies; they would be supplying trustees, and above all the beneficiaries under trusts with a much needed channel of investment, and they would certainly be doing something to promote the credit and trade of the Colonies. His object was, however, to ventilate this subject, and to lay this statement before the House rather than to suggest any particular method of dealing with the subject. He had heard that legislation of this kind might soon be proceeded with in "another place," and he believed that that was a proof of a tendency to act in accordance with the suggestion contained in his Resolution, and he ventured to say that that House would before long proceed in the same direction. He saw in their places hon. Friends who were much given to writing and speaking on the subject of Imperial Federation, and who, he felt sure, would support his Resolution, because the only foundation for a united Empire was that its material interests and resources should be consolidated and utilized. For those reasons he would now move the Resolution standing in his name.

MR. OSBORNE MORGAN (Denbighshire, E.) said, he rose to second the Resolution which had been introduced by his hon. Friend in so able and ex-

haustive a speech. He would ask the House first to look upon the question purely from the investor's point of view. There could be no doubt that what was called conversion of the National Debt, although admirable for the Chancellor of the Exchequer, fell on a certain class of individuals very heavily. It meant to a certain class of persons that their whole income was reduced at one fell swoop from £400 to £350 a-year, which might involve the loss of a certain number of small comforts, and in a certain sense, the necessaries of life. It was, therefore, only natural that they should seek to find some reasonably secure investments which would give a higher rate of interest than those in which trustees were now allowed to invest. There appeared to him to be a general demand for that; and he would point out that his hon. Friend was by no means without precedents for his Resolution. Thirty years ago, Lord St. Leonards had brought in a Bill which gave powers to trustees to invest in India Four per Cents, and certain other securities, and that Bill which passed into law was followed in 1871 by an Act which enabled trustees to invest in the Stock of the Metropolitan Board of Works, and the principle of the present Motion was admitted in the Scotch Trusts Act of 1885. It would, of course, be contended that these cases were not on all fours with the present; and, no doubt, in the case of the India Four per Cents, it might be urged that Indian finance was, to a certain extent, under the control of the Imperial Parliament, which was not the case with any Colonial Securities. But the difference was more apparent than real. Although Parliament exercised some control over Indian finance, he had never been able to ascertain precisely what the control was. He had sometimes come down towards the end of the Session and listened to a discussion on what was called the Indian Budget, when the Secretary of State or the Under Secretary for India made a speech to a select audience of 10 or 12 Members, half of whom were asleep, on the very difficult subject of Indian finance; but he could not help thinking that that sort of control was of very little value. There was, of course, the other difficulty to which his hon. Friend had referred—namely, that there was no power to sue a Colonial Government in this country, as they could the Metropolitan Board of Works, in case of default. But was there any real danger in that respect? Even the smallest South American State now knew that if it made default in respect of the interest or principal, its name would be wiped out of the Stock List of every nation. He believed that, with the exception of Turkey and two or three Central American Republics, there was hardly a State of the World in default; and as to the danger of Colonial Governments making default in the payment of interest on their loans, they might as soon expect the Chancellor of the Exchequer to make default in respect of the interest of the National Debt. As his hon. Friend had pointed out the Debts of the Colonies were not, as in the case of European loans, incurred for the purpose of maintaining bloated armaments, but for remunerative purposes. Mr. Deakin, the representative of Victoria at the late Colonial Conference, said—

> "In Victoria, we have scarcely any Debt at all; we have borrowed it is true, £30,000,000, but three-quarters of that is invested in railroads, and these railroads are paying full interest on the investment and also a surplus into the Treasury, so that on three-quarters of the money we simply receive interest and pay it out again. The remainder of our loans, with a small exception, is invested in waterworks, which pay, or before long, will pay, the full amount of interest. Hence there is practically no National Debt, though there are great national assets. The money is invested in commercial enterprizes which pay their own interest."

The same might be said of the other great Colonies. But could it be said of the Debts of the great European countries? Could it be said of the Debt of France, which was incurred entirely for war purposes; or even of our own Debt, on which we paid interest to the amount of more than £20,000,000 a-year, and which was incurred for the purpose of carrying on bloody and too often barren wars? It might be said that the condition of the Colonies might be changed; but he held that it was impossible to get mathematical security in any investment. One of the securities most approved by the Court of Chancery used to be mortgages on freehold estates; and he could point out numerous cases in which trustees had invested money, as they were empowered to do by law, in freeholds, and had lost not only the interest, but more than one-

half of their security in consequence of the well-known depreciation of land due to agricultural depression. He could quote the case of Lord Eldon to show how the most prudent of men might be deceived in a matter of that kind. Lord Eldon was the most cautious of Judges, of whom he believed Lord Campbell said that he doubted for a whole month whether there was anything to doubt about. That most cautious Judge, in two cases, only allowed trustees to deviate from the elegant simplicity of "the Three per Cents," as he called it. In one case he allowed the trustees to invest in turnpike bonds, because "nothing could ever supersede roads;" in another case to invest in the purchase of a rotten borough, "because rotten boroughs would last as long as England itself." That showed that the most cautious of men were liable to be misled in the matter of investments. He believed that Lord Halsbury and Lord Herschell approved the principle of his hon. Friend's Motion, which he might say was also entirely approved by one of the Judges, and he would go farther and say that every well-drawn deed contained the powers in question. He had himself several times inserted such a clause both in deeds and wills, and he took it to be the duty of the Legislature to enable trustees to do what prudent trustees would do if they had the power. But there was a broader and more general ground on which he asked the House to accept the Resolution. He had the honour of occupying for some six months the position now so worthily filled by the Under Secretary of State for the Colonies, and he was able to say that the adoption of the Resolution would undoubtedly tend to improve the relations between the Colonies and the Mother Country. No one who was acquainted with the proceedings of the Colonial Conference could fail to see how deeply interesting this question was felt to be by the colonies, who he was convinced would regard such action as was here proposed as a graceful recognition of their *status*. There was not a steamer which discharged its cargo on the shores of our Colonies, there was not a letter sent home, not a telegram which flashed its tale of joy or sorrow from the Mother Country to her children, that was not an additional link to the bonds which bound our Colonies to us, and he believed that nothing would tend more to promote that Imperial unity which they all desired, than the knowledge that the Motion of his hon. Friend had been accepted by the House of Commons.

Motion made, and Question proposed,

"That, in the opinion of this House, the suitability of Colonial Government Inscribed Stocks for Trust investments should be more adequately recognized."—(*Sir George Baden-Powell.*)

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he approached the consideration of this subject with every desire to do justice to the efforts which the Colonies had made to maintain their credit. It was a sign both of the honesty of our Colonies and of their strength and vitality that, in the comparatively short term of their existence, the credit in which they stood was superior to that of most European countries. He felt how fully they deserved the position which they held in the money market, and no remark would fall from him which could in the slightest degree detract from the gratification which every member of the Empire must feel that not only our own finances were in a satisfactory state, but that there was scarcely a Colony whose finances did not rest on a secure foundation. Our Colonies had borrowed rapidly and freely. His hon. Friend pointed almost with pride to the rapid strides with which they had competed in that respect with Foreign States; but he was not sure that the magnitude of their debt was one of the arguments which would commend itself to the House of Commons. He was not one of those who for one moment would depreciate the sentimental aspect of the question. He quite understood that the Colonies attached importance to the legislative position of their loans. It was not, therefore, from any want of sympathy that he spoke. But we were bound to look at this question not from the point of view of the present only; we must look at it with regard to the future and to all the interests at stake. His hon. Friend admitted that his proposal, if adopted, might do some small damage to the credit of this country. As temporary guardian of that credit, he should be extremely jealous of anything which

would trench even in the slightest degree upon it. It was apparent that there was likely to be at all times a tendency to borrow from the State; and looking to the vast number of objects for which it was desired to have recourse to Imperial credit, he, as Chancellor of the Exchequer, must say that nothing ought to be done which could in any way tend to bring about the result which his hon. Friend was able to contemplate with equanimity—namely, a reduction in the price of British Stocks. It was his duty to look to the interest of the credit of the State, and to point out that we must have regard to the tremendous demands which might yet be made upon the credit of the State, and that not in emergencies only, when a difference of 1 per cent in the price of Consols might be of importance to this country. Not only might we have to borrow in great emergencies, but there were many occasions when the State ought to lend for useful purposes. Whatever view might be taken of the Motion, hon. Gentlemen ought to dismiss from their minds that part of the argument which went to show that by adopting it we should not tamper in the slightest degree with the borrowing power of the Imperial Government. His hon. Friend spoke of the difficulty which trustees experienced in finding facilities for investment. He did not see that there was that difficulty which his hon. Friend seemed to think, but he wished to point out what was the essence of the case. The House was not asked simply to authorize investments by trustees in Colonial Funds. What his hon. Friend asked was that where, by will, trustees had been precluded from investing in Colonial Funds the State should set that aside and authorize the inclusion of Colonial Funds. It had been said that in every well-drawn trust Colonial Stocks ought to be included. He certainly thought they ought to be. If he had to establish trusts himself he would probably include a portion of the Colonial Stocks. But it was a different thing to say that where a will had been made and trusts created, and where Colonial Stocks had been excluded, we should step in and say that they ought to be included. That was really what was asked. It was asked that we should establish these securities in a position which was not anticipated by those who made the trusts. He did not say that the proposal, if adopted, would have any great practical effect. But he would like to call attention to some circumstances which might ultimately produce friction. With regard to the action already taken by the Courts of Law, he believed that various options had been given to trustees. For instance, they were allowed to invest in Municipal Stocks, but the Courts had found it extremely difficult to arrive at any conclusion, and the Act had come to be inoperative in regard to those Stocks. With regard to the action of the Scotch Courts, it had been found so difficult to establish what would be a safe Colonial Stock that in this case, too, the law had been practically inoperative. If we legislated in the direction recommended by his hon. Friend and vested the discretion in the Courts, the Courts would probably be averse to undertake it, and the law would be entirely inoperative. He had referred to the possibility of friction, and with regard to this question it must be remembered that we must put all Colonies on the same footing. It would not be possible to draw up a Schedule of Colonies, and say that the credit of this one and of that one was good enough, but that the credit of a third was not good enough to be put on the same footing as Consols. His hon. Friend behind him had given instances of some Colonies which were as safe as possible, and whose credit stood so high that there could be no question, at all events for many years, of their absolute solvency. But we must judge not by the best Colonies, but also by the weakest. It would be impossible to draw up a list. Was the Court of Chancery, then, to consider the credit of all the various Colonies; were the Judges to meet and say what was the borrowing power of each Colony? With the greatest reverence for those august gentlemen, he doubted whether that was a task for which they were properly qualified. His hon. Friend had, with great ingenuity, invented an automatic process by which it could be decided whether the Stocks of a Colony were to be admitted or not. He had proposed that when the Four per Cent Stock of a Colony stood above par investment should be permitted in its funds, and *vice versâ*. But he would ask the House to remember that the very

object of trusts was to give a permanent security. Why was money put under trust at all? Simply in order to give a more permanent character to the investment than could be given to it otherwise. If they were to judge any Stock by its value at a given moment, they would be applying a test which, in the end, would be misleading. A Stock might be above par at issue and then fall below it. The hon. Member had compared the value of these Stocks with those of foreign countries, and had shown that, greatly to the credit of the Anglo-Saxon communities, their Stocks stood higher. But none of these foreign Stocks were, or ought to be, included in trusts. They stood in the category of those Stocks which might be invested in if the testator chose to select them, but no Parliament would assert that it was right to include the Stocks of any foreign country, however great and powerful, among those in which permanent investments should be made, By his comparison, therefore, the hon. Member did not show that the Stocks of those communities should be included in trusts. Allusion had been made to another difficulty with regard to Colonial Stocks—namely, that we had no control over them. That was certainly a very strong objection to dealing with these Stocks in the manner suggested. The right hon. and learned Gentleman opposite (Mr. Osborne Morgan) had said that we had only a shadowy control over the finances of India, but we had a much greater control over the finances of India than over those of our Colonies. The finances of India were administered by a Secretary of State and under the control of the Imperial Government. While he hoped that it would be long before the ties between us and any of our Colonies were severed, it was clear that those ties were not of the same character as those which bound us to India. We had no control, for instance, over the finances of Australia; we could not limit their issues in any degree. What Government would venture to veto any financial proposal made by one of our self-governing Colonies? They were asked to put on the same footing with securities now included in trusts funds which were well deserving of credit, but over which that House had absolutely no control, and to vary trusts in order to do this was a step far in advance of anything which they had yet done. The right hon. and learned Gentleman had said that in any case they might make mistakes, and he had shown that securities had been included in trust investments which could become dangerous, such as mortgages on land, which had been deemed a safe security at one time. But there were two inferences which might be drawn from this; on the one hand, they might give up the idea of placing a definite limit on trust investments because they were not far-seeing enough; but, on the other hand, they might confine their trust securities to those with regard to which they had absolute confidence that they would be safe in all conditions. They had such absolute confidence with regard to British Funds; but, in spite of their belief in the Colonies, they had scarcely advanced so far that their Stocks could be put on entirely the same footing. They should be careful before they widened the area of those securities which ought to be included in trusts. There were two other objections which had been raised. One was that it would not be possible to sue the Colonies; and the other was that we had no control over the amount of issues. They had been told that they were to be able to sue the Agent General of a Colony in this country; but if there were to be such a thing as a repudiation, he did not expect that there would be such assets with the Agent General in this country as would afford much security in such disappointing circumstances. He thought that, at all events, there should be simultaneous action on the part of the Colonies, and that the Colonies should agree to propose means to enable the holders of their Stock to sue. With regard to any power of limitation of the issues of the Colonies, his hon. Friend had almost given up that question; nor, indeed, was it desirable that their issues should be limited so long as they were employed in remunerative and excellent work. He placed before the House in no dogmatic spirit these considerations, which, at all events, ought to be present to their minds before they advanced on the road suggested by the hon. Member. He had not said one word which was disparaging to the credit of our Colonies, or wanting in sympathy for their development, both financial and industrial. He felt to the full what had been said by

the hon. Member, that the fact of this country, as far as possible, assisting the Colonies by its Money Market was a circumstance which would contribute to the maintenance of the bonds which existed between them and this country. But sometimes, when the Colonies were irritated — and they were irritated at causes which we occasionally thought somewhat slight—at those moments they were apt to forget the advantages which they derived from their connection with the Mother Country. Although their high credit was due in the main to their industry, good management, and business-like qualities, on the other hand, he believed that it was also largely due to the fact that they were able to come as Colonists and fellow-subjects to the London Money Market, and to find greater facilities and greater readiness to lend than they would find in any other Money Market in Europe, or than they would find if they were to cut themselves adrift and to become independent communities. Reference had been made to the extraordinarily low rate of interest at which Canada had lately been able to borrow money; but he had the highest authority for saying that that was in part due to the conversion which had lately taken place, and to the fact that the rate of interest had been generally lowered. What had taken place with regard to Imperial Funds had reacted on others, and Canada had thus derived great support from what had taken place with regard to the National Debt of this country. He thought it would prove extremely agreeable to the Colonies that this Motion had been brought forward, and he hoped that they would be gratified by the tone of the debate. He trusted, especially as the Motion did not suggest any practical steps and was simply an abstract proposition, that it would be withdrawn, and not pressed to a Division.

BARON DIMSDALE (Herts, Hitchin), in supporting the Resolution, said, he thought it very desirable that the powers of trustees should be enlarged, that they should not be limited and confined, as they now were, to the old funds, but, where it was advisable, they should have an opportunity of investing in these new trusts.

MR. A. M'ARTHUR (Leicester) said, that, as he had spent many years in the Australian Colonies, he desired to say one or two words. The Australian Colonies and the House had every right to be thankful to the hon. Gentleman the Member for the Kirkdale Division of Liverpool (Sir George Baden-Powell) for bringing this question forward. The right hon. Gentleman the Chancellor of the Exchequer had very properly said they were all satisfied as to the security offered by the Colonies for any investments of this kind. He (Mr. A. M'Arthur) was frequently asked by persons as to the Colonial Securities, and his invariable answer was that they were quite as good and safe as the Bank of England. It had been said we had not yet touched the bottom of the Australian Colonies. He thought we had scarcely touched the surface of them. There was an amount of mineral and vegetable wealth in those Colonies which it was almost impossible to exaggerate. While he admitted the truth of the statement of the right hon. Gentleman the Chancellor of the Exchequer that the Colonies owed much to this country, this country owed a very great deal to the Colonies for the outlet for English capital which they afforded. He had great pleasure in supporting the Motion of the hon. Gentleman, the adoption of whose suggestions would be of great benefit to this country and the Colonies.

SIR RICHARD TEMPLE (Worcestershire, Evesham) said, he rose for the purpose of rectifying a mistake which the right hon. and learned Gentleman the Member for East Denbighshire (Mr. Osborne Morgan) appeared to have made. The right hon. and learned Gentleman said that the finances of India were really not under the control of the House of Commons. When that statement was very justly challenged by the right hon. Gentleman the Chancellor of the Exchequer, the right hon. and learned Gentleman said that, at all events, the control was shadowy. He begged the right hon. and learned Gentleman's pardon; the control was real. He assured the House that the Indian finances, from beginning to end, from top to bottom, in general and in detail, were under the fullest control of the Secretary of State, who was, as a Minister of the Crown, responsible to this House. Certainly, India had an interest slightly adverse to the Resolution of his hon. Friend the Member for

he Kirkdale Division of Liverpool (Sir George Baden-Powell), because the investing in Colonial securities would *pro tanto* divert capitalists from the Indian securities pertaining to railways and canals in India. Still, we were bound to consider the interests of England also. Now, of late, English investments had been narrowed—landed securities had been inevitably depreciated, and now, by the recently successful operations of Government, even Consols were less valuable to investors than they were. Therefore, we must look further afield to our Colonies; and, having regard to the prosperous case arrayed by his hon. Friend's statistics, he must admit the Resolution was worthy of acceptance in Indian circles and in all other circles.

MR. EVANS (Southampton) said, he rose to address the House for the first time with great deference, because he felt that his want of knowledge of the formalities of the House might cause him to transgress some of them. When he came down to the House he had no intention whatever of taking part in the debate, and he only rose to do so because, when he read the Resolution of the hon. Member for the Kirkdale Division of Liverpool, he interpreted it to mean that the hon. Gentleman asked authority for trustees to invest their trust funds in Colonial Securities. The right hon. Gentleman the Chancellor of the Exchequer had placed a somewhat different interpretation upon the Resolution, and, therefore, he hoped the hon. Member for Kirkdale would state the exact meaning of his Resolution. If the Resolution meant, as he supposed it did, that trustees should have the right to invest their trust funds in Colonial Government Securities when no such direct authority was given in the trust, he should oppose the Resolution to the very last. Under such circumstances, he should be sorry, in the first place, for the beneficiaries under the trust, in the second place for the Colonists themselves, and in the third place for the right hon. Gentleman the Chancellor of the Exchequer. The right hon. Gentleman the Chancellor of the Exchequer had intimated that there was a danger which was certainly familiar to him (Mr. Evans), and which must be familiar to all those who knew Colonial Governments well—there was a danger which arose from the facilities to borrow. There were connected with the Colonial Governments, as there were in this country and in every country, a certain set of people who loved to borrow money without any thought as to the way they were to expend it. He was familiar with several of the Colonies of this country, perhaps more familiar than most hon. Members of the House of Commons, and he knew from experience that loans were obtained without any clear understanding as to the way in which the money was to be expended. Many loans were not originated as they ought to be—for some great exploit or some great expansion of the country for which the money was borrowed. They often originated in the wish of certain financiers to borrow first, and find the means of spending the money afterwards. If the hon. Member for Kirkdale proposed this Resolution with the view of the investment of trust funds in the way he (Mr. Evans) had described, it would be necessary that the debate should be carried on much longer, in order to show—certainly he would undertake to show—the many fallacies in the hon. Gentleman's statement. The hon. Gentleman had referred to market price; but market price was something by which no one ought to be guided. The hon. Gentleman had spoken of the United States Four per Cents being at £29 premium. Within the last 20 years he (Mr. Evans) had bought that Stock at 62 discount. How could they take that as a proof of the value of Colonial Securities? It was utterly fallacious. Again, it was necessary to draw the attention of the House to the fact that all these improvements in the Colonies were really commercial enterprizes. If they applied the test of the Market, the lenders of money could well examine the enterprizes, and if they found them worthy of support they would lend the money at a fair rate. If, however, the promoters could turn to trustees—the majority of whom were quite unable to investigate the securities, and quite unable to form an opinion whether the securities were good or not—they would have the trustees trying to persuade the Colonists to borrow their money. When the Colonists had borrowed the money they would try to spend it in some way or other, a proceeding unlikely to result favourably for either party. The right hon. Gentleman the Chancellor of the Exchequer

had gone so completely over the ground that he would not further trespass upon the patience of the House.

MR. GRAY (Essex, Maldon) said, that if the House would allow him, he would like to make one or two remarks upon the subject under discussion. He was very much indebted to his hon. Friend the Member for Kirkdale (Sir George Baden-Powell) for having called the attention of the House to the question, and although he (Mr. Gray) appreciated all the right hon. Gentleman the Chancellor of the Exchequer had said as to the necessity of treating with the greatest care the powers given to trustees, he desired to point out that there was another side to the question, and that was the question of the interest of the annuitants. At the present time land was looked upon somewhat suspiciously as an investment, and although the Conversion Scheme of the right hon. Gentleman the Chancellor of the Exchequer might be said to have been brought to a successful issue, there were many people in England who felt that that Scheme had not been an altogether brilliant piece of legislation for them. He alluded now, of course, to the annuitants. He had heard from many annuitants that their incomes had been so reduced by the Conversion Scheme that they found it was very difficult to make ends meet. There was one class of annuitants who had felt the Conversion Scheme more severely, perhaps, than any others, and they were the annuitants who received their incomes from Chancery held property. It seemed to him very hard that the law should say to these people—"You must invest your money in the Court of Chancery," and that that should be supplemented by legislation, which said—"and we will give you just what we like for your money." He hoped that although the right hon. Gentleman the Chancellor of the Exchequer was not prepared to accept the Resolution of the hon. Member for Kirkdale, the right hon. Gentleman would consider the question and deal with it before long, perhaps in a modified form.

MR. BRADLAUGH (Northampton) said, he only rose in consequence of the very extraordinary declaration of the hon. Baronet the Member for the Evesham Division of Worcester (Sir Richard Temple) that the House of Commons had complete control over the finances of India from top to bottom. As far as his experience went, the only opportunity they had of even alluding to the finances of India was the opportunity afforded by the introduction of the Indian Budget. That Budget was generally introduced when the rest of the Business of the House was disposed of, and when the House was comparatively empty. It was not true that they had an opportunity of dealing with the Secretary of State for India as they had of dealing with other Secretaries of State, because his salary did not appear in the Estimates. The control which Parliament exercised over the finances of India was really limited to the risk of the ballot.

SIR GEORGE BADEN-POWELL said, he had a difficulty to find anything to reply to, because all that had been said substantially supported his Resolution. The only objection urged against automatic regulation was that there was no security against a fall in value; but all Funds were liable to fall in value, and therefore the objection was not specially applicable to Colonial Securities. He wished to see legislation which should include such securities and enable trustees to invest money in securities which were not as yet open to trustees; but he supposed the legislation would not be retrogressive and would not affect existing trusts. He thought the House was with him, and therefore he asked leave not to press the Resolution to a Division.

MR. ANDERSON (Elgin and Nairn) said, he did not think such a conclusion would be at all satisfactory. It was an extraordinary thing, if the House were in favour of the Resolution, to suggest that it should be withdrawn. He had moved a similar Amendment to the Budget, and the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) then said that the proposal should be favourably considered by the Government and facilities given for legislation this Session. He understood that a Bill had been introduced into the other House, and that the Prime Minister had assented to the principle of this Resolution. He did not think the Resolution should be withdrawn, except upon the understanding that there would be legislation this Session.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, that accepting the hon. Member's interpretation of his own Resolution, that it was not to involve the setting aside of trusts, it would be better to withdraw it in view of the legislation pending in "another place."

Motion, by leave, *withdrawn.*

ECCLESIASTICAL ASSESSMENTS (SCOTLAND).—RESOLUTION.

MR. HUNTER (Aberdeen, N.), in rising to call attention to the assessment of property in Scotland for ecclesiastical purposes; and to move—

"That, in the opinion of this House, it is inexpedient that Assessments for Ecclesiastical purposes in Scotland should be maintained, and that in lieu thereof an equivalent annual assessment ought to be made for assisting Secondary Education in Scotland,"

said, he might best explain the subject to English Members by saying that the nearest parallel which he could find to it was the controversy that some years ago excited great interest in this country—namely, Church rates. It might be asked how, in Scotland, where the friends of religious equality and the supporters of the Liberal Party were stronger than in England, there should be any question of Church rates so long after the question had been settled in England; and, in mentioning this, he pointed out that the question was settled in England without involving the larger question of Disestablishment. The reason why Church rates continued in Scotland was that, while in England they were paid by the occupier, in Scotland they were paid by the owner of land. In Scotland the payments for ecclesiastical purposes were a hereditary burden upon land; and he was obliged to the hon. Member for the Glasgow and Aberdeen Universities, who had given Notice of his intention to move an Amendment to the Motion. While the Motion involved two very different propositions—each of which he ought to be in a position to prove—one of those propositions had been removed by the hon. Member for the Glasgow and Aberdeen Universities, who stated in the Amendment of which he had given Notice that these assessments "had been a burden upon land from time immemorial." There were four obligations imposed by the old Statutes of Scotland on the owners of land—namely, (1) to build and maintain churches; (2) to build and maintain manses in the rural districts; (3) to provide churchyards; and (4) to provide schools and pay the schoolmasters. All these obligations had, for the last 300 years, been a first charge upon land in Scotland, and they partook rather of the nature of tithes than rates. There was a difference between the position of the larger burghs in Scotland and rural districts in respect of these assessments. In the large burghs the question was so bound up with other questions connected with the Established Church that they could scarcely be disentangled; but in the rural districts the question was totally distinct, and the obligation was totally distinct. It was not possible for him to give the House the exact amount of these assessments, because the Returns were not complete; but, from 1879-80, they had continuous Returns for seven years, and he found that in the rural districts, and in the districts partly rural and partly urban, the amount registered for these assessments during the seven years was £406,741, or an average of £58,100 a-year. That was a very large sum—much larger than would be spent if those who used the churches had to provide the money themselves. Inasmuch as the clergy themselves in their Presbyteries were the authority that determined how much money should be spent, he need hardly say that they charged on a princely and liberal scale. Therefore, the amount raised was extravagant. The first objection to this hereditary burden was that the demands made upon the landlords were beyond the requirements of the case. In the second place, these burdens were of a peculiarly irritating character, because they were most irregular in their incidence. Sometimes 10 years elapsed and no demand was made upon the heritors, and then suddenly £2,000 or £3,000 might be demanded in a single year. He was aware that in 1862 an Act was passed mitigating the inconvenience of this assessment by providing that in the case of new churches the expenditure might be spread over a period of 10 years. There was another grievance which was felt very much in the small towns and villages of Scotland—namely, that the feuars had been held

liable for this species of assessment. Many of these feuars were comparatively poor, and there could be no doubt that, although under Scotch law they were liable, it had been felt by the landlords themselves in most parts of Scotland that it was a hardship to charge any of this assessment upon the feuars. In the Amendment of which the hon. Member for the Glasgow and Aberdeen Universities had given Notice, he was not quite right in suggesting that those assessments were for churches alone. They were, as he had said, for manses, and for churchyards as well. It was upon the fact that these burdens were of a hereditary and of an ancient character that he based his argument that, whatever was to be done with the proceeds of these assessments, they were a burden upon the landlord from which he ought not to be relieved. The landlord, at all events, had no claim on any portion of this assessment, whatever was to be done with it. The question between the hon. Member and himself was not one of relief to landlords, but one as to the uses to which this money should be applied. What he would ask the House to do was to declare that, instead of this irregular and somewhat vexatious use, the assessment ought to be employed for the purposes of secondary or technical education in Scotland. He was glad to find, from the Amendment of which Notice had been given by his hon. Friend, that he would not deny that, if this money was to be applied towards any secular purpose, there was none more deserving than that of secondary or technical education in the rural districts of Scotland. A sum of £50,000 a-year would probably go far to supply the deficiencies of the rural districts in Scotland in regard to these two branches of education, because he might remind the House that the large towns would have no large claim—or, perhaps, no claim at all—on the fund. The whole of this money would be available for the development of secondary and technical education in the rural districts of Scotland. Supposing this contribution were converted into an annual assessment, would it be a serious imposition on the landlords? He was not in a position to give the exact figures to the House, because there was a lack of accurate information as to the distribution of this burden; but he found that the valuation roll of the rural districts in Scotland amounted to £12,000,000, and, at 1*d.* in the pound, that would give £50,000. It was probable that the assessment required to be imposed in view of this burden might not exceed 1*d.* in the pound—that was to say, that a landlord deriving an annual income of £1,200 would only be called upon to contribute £5 a-year. This would not be any serious burden on the landlords, and it would be a relief from an irregular and obnoxious tax. Now, with regard to the purposes to which this money should be applied. The hon. Member contended in his Amendment that this money should be applied to the purposes to which it was at the present moment applied. This was a tax upon land, and he (Mr. Hunter) contended that the product of a tax was the property of the people, and he altogether denied that it was right that the property of the community should be devoted to the maintenance of one of the numerous religious denominations into which Scotland was divided. There was a time in the history of Scotland when this tax was imposed—there was a time when there was so much religious unity in Scotland—so much unity of worship—that it was right and reasonable that the maintenance of the churches, as the maintenance of schools, should be parochial burdens. But everyone who was acquainted with the history of the Church of Scotland knew that by a series of successive secessions there remained now only a small part of that which was once the whole Church of Scotland, and it was totally inconsistent with the principle of religious equality—inconsistent with the principle of equal rights—that the property which belonged to all should be applied exclusively for the benefit of a few. It might be said that the Church of Scotland would be put to some inconvenience by the withdrawal of this money. But it would be in no worse position than any other of the denominations. Besides, nothing would be so beneficial to that Church as to be compelled to rely for repairs to places of worship and other such expenditure upon the Christian liberality of its people; and, by accustoming themselves to support the religious ordinances of their own Churches, they would be preparing themselves for the inevitable time when the connection between Church and

State must entirely cease. Only a small addition would be made to the claims on members of the Church if this source of revenue was removed, and a great and lasting benefit would be conferred on the cause of secondary and technical education, which the hon. Gentleman the Mover of the Amendment himself would recognize had the best claim to this fund if it were to be devoted to secular purposes. For these reasons, he begged to submit the Resolution which stood in his name for the consideration of the House.

MR. FIRTH (Dundee) seconded the Motion.

Motion made, and Question proposed,

"That, in the opinion of this House, it is inexpedient that Assessments for Ecclesiastical purposes in Scotland should be maintained, and that in lieu thereof an equivalent annual assessment ought to be made for assisting Secondary Education in Scotland."—(*Mr. Hunter.*)

MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities), in rising to move as an Amendment—

"That as the Ecclesiastical Assessments have been a burden upon land from time immemorial for the erection and repair of church buildings in the old parishes of Scotland, this House, in the absence of any grievance connected therewith, except in the case of feuars, for whose relief a Bill is now before Parliament, declines to entertain a proposal to alienate these assessments to secular uses,"

said, that the hon. Member for North Aberdeen (Mr. Hunter) was right in presuming that he did not find any fault whatever with the object to which the hon. Member would apply this money, so far as regarded that object itself. He had no objection to secondary or technical schools; but he did object to the proposal that these should be assisted with money intended for an altogether different purpose. These assessments had existed for three centuries. They represented a burden upon the land of Scotland, which was expressly recognized and thoroughly understood by every landowner whenever any property was bought or sold. This burden was taken into account in the price given for properties, so that it was really no burden upon the landowner, but a trust which he held for the Church. The expression "church buildings" in the Amendment was meant to have a general reference to manses and glebes as well as to churches. The Church rates of England, which were dealt with by legislation some years ago, were not at all of the same nature as these ecclesiastical assessments in Scotland. The Church rates were imposed by the votes of the occupants of a parish; but the Church of England had no property in these rates. In Scotland, on the other hand, the churches, manses, and glebes which were maintained by these assessments were the property of the heritors who paid the assessments, and the assessments were the recognized endowments of the Church, not depending in any way upon the vote of the parish. This, no doubt, was an important question for the rural districts, for it was difficult to see how the churches and manses could be maintained in some parts of Scotland if this statutory provision was withdrawn. From the very nature of the case the burden must be irregular in its incidence, as it was not every day that repairs were wanted, or that a new church was required in substitution of the old one; and it would, therefore, be very difficult to substitute an equivalent yearly assessment for this burden. There was no grievance beyond that admitted in the Amendment with respect to that class of heritors who were known as feuars. There was a peculiarity in their case, and there was a Bill now before Parliament to relieve these feuars of their acknowledged grievance. While they were an extremely numerous class, their proportion of the total amount of the assessments was very small, and from an analysis of typical districts of Scotland, including three divisions of Lanarkshire, the counties of Perth, Mid Lothian, and Roxburgh, it was found that though these feuars were 77 per cent of the number of heritors, the amount of assessments paid by them was only 13·7 per cent of the whole; so that while there might be some grievance as to 14 per cent of the assessments, which it was proposed to remedy, there remained 86 per cent of the assessments, as to which there was no ground of complaint. But the real meaning of the Motion was shown by the hon. Member (Mr. Hunter), for he diverged from ecclesiastical assessments to the question of Disestablishment and Disendowment. This Motion was really a proposal for a measure of Disendowment. He thought this was scarcely the opportunity for entering into the larger question of Disestablishment and

Disendowment, especially when there was a Motion on the Paper for Friday night which would definitely raise it. He would only say that while it might be argued that the Church of Scotland was only a part of what it formerly was, and while it could not be denied that there had been important secessions, the hon. Member omitted to say that the Church of Scotland was still a growing Church, stronger at this moment than ever before, and embracing within its borders as large a number of people as all the other Presbyterian Churches in Scotland put together. These matters might be considered beside the question, but what he would submit to the House was that an arrangement which had been in existence for 300 years ought not to be hastily set aside, and that they ought not now, for the sake of secondary education or technical schools, to disendow, to some extent, the National Church of Scotland. He begged to move the Amendment which stood in his name.

SIR CHARLES DALRYMPLE (Ipswich), in seconding the Amendment, said, he had listened with considerable interest to the speech of the hon. Member for Aberdeen, and he must say that he had seldom heard a weaker advocacy of a great change. And, as if to give a greater air of unreality to the proceeding, the Motion was seconded by the hon. Member for Dundee (Mr. Firth), whose acquaintance with the ecclesiastical affairs of Scotland must be of a very recent date. He recognized in the speech a movement in favour of Disendowment, and one reason given by the Mover of the Motion was that Church rates in England had been abolished. But he almost immediately stated that Church rates in England and Church assessments in Scotland were a totally different thing. Then he (Sir Charles Dalrymple) had always been under the impression that the amount derived from Church assessments in Scotland was very small; and he thought even £58,000 was so modest a sum to be derived from that source that it was hardly worth the hon. Member's while to covet it. No doubt a laudable motive lay at the root of the Motion. It was to find funds for secondary education in Scotland. In that desire they all sympathized; but he wished that the hon. Member had looked elsewhere in order to satisfy his very laudable desire. He ventured to say that there was no grievance whatever connected with the ecclesiastical assessments in the old parishes of Scotland, and if there was a grievance in the case of the feuars, it was not the fault of those who sat on the Ministerial side of the House that it had not been remedied before the present time. He would like to know whether the hon. Member (Mr. Hunter) had any authority to speak for these feuars, and whether they would be prepared to give an equivalent annual assessment for secondary and technical education?

MR. HUNTER, interrupting, said, he expressly stated that he thought the assessment ought not to be borne by the feuars.

SIR CHARLES DALRYMPLE said, that the Amendment of his hon. Friend expressly stated that it was in contemplation to relieve the feuars from ecclesiastical assessment, as they alone had a grievance on the subject. His hon. Friend had dealt fully with the subject, and he would therefore content himself with saying that the Church of Scotland now needed endowments more than it had ever done, because it was doing more work than it had accomplished in past years.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "as the Ecclesiastical Assessments have been a burden upon land from time immemorial for the erection and repair of church buildings in the old parishes of Scotland, this House, in the absence of any grievance connected therewith, except in the case of feuars, for whose relief a Bill is now before Parliament, declines to entertain a proposal to alienate these assessments to secular uses."—(*Mr. James Campbell.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. A. R. D. ELLIOT (Roxburgh) said, he was anxious to support the Motion before the House. He was bound to say it appeared to him a little unnecessary to recall to Members of the House exactly what was the object and purpose of the system of ecclesiastical assessments now existing in Scotland. The fact was that the Scottish Established Church differed from all other Churches in the United Kingdom, established or free, in this—that a special provision was made by law for the repair of the churches and buildings of the Establish-

ment and of the manses of the clergy. That was a state of things which he maintained did not exist as regarded the Established Church of England, and did not exist as regarded the Disestablished Church, now the Voluntary Church in Ireland, and did not exist in regard to any other religious denomination whatever in the United Kingdom. The state of things which they now impugned as regarded the Scottish Establishment had existed in former days as regarded the Established Church in England, because provision was at that time made by law in England for the support of the fabrics of the Established Church. That state of things, however, could not exist in conformity with the state of opinion which began to rule in this country a generation ago; and he thought it incumbent upon those hon. Gentlemen who supported the existing state of things to justify the exception. What they had to show was the right and title of the Scottish Establishment to enjoy an advantage which was not enjoyed by any other Church, established or disestablished, in the land, and he maintained that neither the hon. Gentleman who moved nor the hon. Baronet who seconded the Amendment which had just been put had, in the slightest degree, justified to the House the special position in which the Church of Scotland stood. He knew that an attempt had been made to draw a distinction between Church rates in England and the provision made for the Established Church in Scotland; but, after all, the distinction was a skin-deep one. By law a provision was made for the support of the Church fabric in England, and by law a provision was made for the support of the Church fabric and the ministers' houses in Scotland. It was true that in England, following the universal plan, the rates were levied on the occupiers, and that in Scotland, following the almost universal plan in that country, the money was raised not by a rate on the occupier, but by a charge on the owners of the land, but these were merely matters as to the way in which the money was raised. As to the fundamental principle, the question was, whether by law they should raise out of the land provision for one denomination—whether that which existed in Scotland now, which was a parallel to that which existed in England before the compulsory Church rates were abolished, should continue? It was only natural that there should have been some allusion to the fact that this matter was no new thing in this House, and in this country, as regarded the ecclesiastical assessment question in Scotland. This matter had been before the House several times, and what had happened? The House had on two occasions, if not oftener, resolved in condemnation of the continuation of the principle of the ecclesiastical system in Scotland. They had decided the matter upon a Bill which was brought forward year after year for the abolition of the ecclesiastical assessments in Scotland. Hon. Members had resolved in that House, by a considerable majority, that that system should not exist, and they had resolved again on a separate occasion—and that as lately as 1884—on a Resolution he himself had brought forward in opposition to a Bill promoted, he thought, by the hon. Member for the University of Glasgow (Mr. J. A. Campbell). He himself had brought forward, on the second reading of the Bill to which he had referred, a Motion almost substantially the same as that put before the House that night, which Motion amounted to this—that it was contrary to public policy at the present moment that a special provision should be made by law for raising out of the national resources a fund for the maintenance of any special denomination in the country. That was the broad principle on which he stood, and he wished to put that view strongly before hon. and right hon. Gentlemen that night. He knew that in days gone by it would have been hopeless to appeal to the Conservative Party on such a topic as this; but he knew that now things had changed, and that there were men on the other side of the House who, on this question, were as Liberal in every sense of the word as hon. Gentlemen who sat on that (the Opposition) side, and he asked them to consider what justification could there be for making a special provision for a favoured denomination that was established? When the hon. Member for the Glasgow University said that the Church of Scotland was a thriving Church, and when somebody else said that in the main as to free quarters and resources the Church of Scotland depended now, as other Churches did, on the enthusiasm, the

love, and the voluntary assistance of its members. Then he said he thought all that, which he believed to be thoroughly true, rebounded against the argument they were now setting before the House. He maintained that it was beneath the dignity of the Church of Scotland, the National Church, looking at the sympathy which a great body of the people had always felt towards it, to come to the State to ask it to repair its own fabrics and enlarge the houses of its ministers, spending upon it a sum which, after all, throughout the length and breadth of Scotland, amounted to no more than £40,000 a-year. But, at any rate, if hon. Members had looked at statistics in this matter, and had looked at the Returns moved for in 1881 by Lord Balfour, and by hon. Members in this House, they would see how unreasonable it was to suppose that it was in any way necessary for a popular Church to have any such assistance as this. It evinced no animosity on the part of anyone towards the Church of Scotland to show that this was an invidious law. He believed there were many thousands, nay, he knew there were hundreds of thousands of members of the Church of Scotland who were almost ashamed to claim such a privilege as this when they knew that they, as well as the Free Church, and as well as various other Churches in Scotland, could trust to the voluntary efforts of their members to keep their fabrics in repair, to build new school houses when required, and to support the houses of the Scottish ministry. This question was, he knew, a question of principle, and he knew it might be said that it was, to a certain extent, a question of religious endowment. It was a question, there was no dispute about it, as to whether it would not be more expedient and more just to ask those who were new Members and who supported that particular denomination to carry out, at all events, the every-day expenses of the Establishment. He had no hesitation in saying that it would be more just and more expedient, and that it would cause no injury whatever to the Church. He did not wish now to enter upon other matters which were, no doubt, more or less remotely connected with that with which they were now dealing, which matters would come before them more properly next Friday; but it was hardly possible to pass over, on such an occasion as this, the fact that in many parts of Scotland —in the Highlands of Scotland particularly—they were imposing a parochial rate upon the parishes, and imposing a rate to support an Established Church and the manses of its ministers, when, as a matter of fact, the worshippers of the congregations were so few as hardly to need any consideration; he meant to say that where they had a parish containing a population of some thousands, and where the communicants of the Established Church were only some six or seven, it was absurd by law to make provision to keep up the fabric and the manse. It was absurd to make this provision, when the whole population, practically speaking, went to a church where precisely the same religion was to be found administered by the same class of ministers, and where a precisely similar system of worship was maintained by voluntary effort. This was a matter he wished to press very strongly not only on that (the Opposition), but also on the Government side of the House. He thought hon. Members opposite should acquaint themselves with these matters, and he did think that it would be a thing to be deeply deplored — seeing that Conservative Members had now arrived on this question at a more advanced position than they had ever previously attained to, and looking at, to use a Scotticism, their recidal from the old position they used to occupy—if now for the first time for many years they should decide in favour of a principle which had been abandoned in regard to the Church of England. He asked the Members of the Government to consider these matters, and to think very seriously indeed before they went back behind the decisions of the Parliament of 1870, and even behind those of the Parliament of 1874, when the then Lord Advocate in a Conservative Ministry induced an hon. Member to withdraw a Bill for the abolition of the Church rate by stating that the Government themselves were dealing with this subject. He thought that, so far as the earlier part of the Resolution went, the hon. Gentleman who moved it was perfectly right in saying that this provision should not any longer be made for the advantage of a special religious denomination in Scotland, and he (Mr. A. R. D. Elliot)

thought, further, that the hon. Member was perfectly right in saying, or implying by his Motion, that the landlords had no right to appropriate to themselves the funds which had hitherto been appropriated to what had been considered a public purpose. But he did think it doubtful whether the House of Commons ought now to resolve that the proper purpose to which to devote these national funds was secondary education in the country. He did not feel that that was the right way to deal with the matter. It might be the right way, but that seemed to him to be a subject for subsequent and separate consideration. It must be remembered that these were parochial funds, and did not belong to the Church at large or to the country at large, but belonged separately to each parish. He doubted very much indeed whether they ought now to pledge themselves in the House of Commons to saying that a fair method of dealing with these funds was to devote them to the purpose of secondary education; but as regarded the main principles of the Motion he was thoroughly in accord with his hon. Friend's view, and could only say that if he would withdraw that portion which invited the House to make a certain application of these funds, he should have no hesitation whatever in going into the Lobby with him in support of his proposal.

SIR ARCHIBALD CAMPBELL (Renfrew, W.) said, he was obliged to the hon. and learned Member for Roxburgh (Mr. A. R. D. Elliot) for having made a Disestablishment speech on this occasion. The hon. and learned Member had evidently anticipated the delivery of a speech he was about to make on a future occasion, and he (Sir Archibald Campbell) was much obliged to him for having told the House his views on the question of all endowments. But when he came to look at the Motion moved by the hon. Member for North Aberdeen (Mr. Hunter) he found that, at all events, he recognized the justice of the assessments not only to the owners, but also to the feuars, for in his speech he told them, from the commencement to the end, that he proposed to appropriate the money now given to the Church of Scotland to other purposes—for what he called secondary education. Now, so far as secondary education was concerned, he (Sir Archibald Campbell), for one, would be very glad to see that given to Scotland; but he should be sorry to see it done at the expense of the higher education given by the Church, that education without which, as they all knew, all other education was of no worth at all. The speech of the hon. and learned Member for Roxburgh was a remarkable one; the hon. and learned Member had the courage of his opinions; but surely he must know and must feel that it was not altogether right that endowments which were admitted to be just, which were admitted to be right, and which it was admitted that the land ought to pay, and which it was admitted were devoted to a good purpose—for no one could say that they had not been devoted to a good purpose—should be taken away for another purpose. He must say he admired the hon. and learned Member's courage extremely on this occasion. Let them consider, for one moment, the way in which these assessments were made. They had been told by the hon. Member for North Aberdeen that they were often very excessive; that they were more than the Presbyters were entitled to, and were very much more than were needed. Well, at all events—as he (Sir Archibald Campbell) had something to do with the rural part of Scotland—he knew perfectly well this—that every one of these propositions for assessment, when they came to the Presbyteries, had to pass through the hands of the heritors, and were carefully scanned by skilled men. Everything that was done for the Church was carefully looked into, and not one farthing more than was necessary was paid for the work. He did not think that, whatever might be the sum annually charged for the maintenance of the Church, the assessment upon the the land could ever be called excessive, because it was carefully looked into by those men who had to pay it; and, at all events, his countrymen might claim credit for this—that they were not in the habit of paying more money for a thing than there was absolute necessity for. Then, another point was, was there any cause for this proposed change? Well, in 1885, when he had the honour to contest the county which he represented, the election turned largely upon the question of Disestablishment, and he might say that, during the whole of that time, no question ever cropped up

in reference to these assessments. He knew perfectly well that there was a grievance with regard to the feuars, but that grievance had always been met by hon. Gentlemen on the Ministerial side of the House; and the delay which had been caused in getting rid of that grievance had been owing more to the opposite side of the House than to that (the Ministerial) side. All he could say was that they would have heard plenty on this subject in his contest had there really been any crying grievance in the matter. But what were the real facts of the case? Why, he was supported quite as much by those who belonged to other Churches in his position as regarded the Established Church of Scotland as by those who were communicants of the Church itself. The most valuable support he received, and some of the best men who assisted him as chairmen of his committees, were gentlemen who belonged to other Churches. He could assure the House that there was very little jealousy indeed amongst the laity on either side, whether they belonged to the Established Church, the Free Church, or the United Presbyterian Church. He believed that the question was used for political purposes by those who held certain political views—they had hit on this particular grievance, though there was no movement in Scotland in favour of its being brought up on this occasion. He was sure of this, however—that if it were desired to take away the property of the Church in Scotland and deliver it over for the benefit of some secular project, they would find a feeling roused in that country which would not be easily allayed by such speeches of that of the hon. Member for North Aberdeen.

MR. HALDANE (Haddington) said, it was with much satisfaction that he had listened to the speech of the hon. and learned Member for Roxburgh (Mr. A. R. D. Elliot), and he must say that the speech which followed it from the hon. Baronet the Member for West Renfrew (Sir Archibald Campbell) bore out a belief which many of them on that (the Opposition) side of the House had held for some time. Whenever his hon. Friends, and that majority of Scottish Liberal Members with whom he was associated, took up an attitude in the least in advance of that which was adopted amongst hon. Gentlemen opposite, they heard a loud and violent protest, and found the opinions of the hon. and learned Member for Roxburgh promptly repudiated by the hon. Baronet the Member for West Renfrew. They knew that the opinions of the hon. and learned Member for Roxburgh were not those of the hon. Member for the Glasgow and Aberdeen Universities (Mr. J. A. Campbell), and they knew that these were opinions which were distasteful in the sight of the hon. Baronet the Member for Ipswich (Sir Charles Dalrymple), and therefore they were face to face with this fact—that the appeals made to the Tory Party to advance and take up subjects which would really be popular in Scotland, such as the question of secondary education and Church reform, were appeals which were addressed to the deafest of deaf ears. There was an aspect of this question which was raised in the speeches of the three hon. Members opposite and who had addressed the House. They had told the House that these assessments were assessments which in some way or other might be looked upon as the property of the Church, and that it was robbery and spoliation to divert these endowments, which had been given to the Church by a legal title, from the purposes to which they had been destined, and they asked the House to look on this question not merely on the ground of that higher ecclesiastical education for which the hon. Baronet the Member for West Renfrew appealed, but also on the ground of the vested rights of property. He thought it was high time that in the House and outside the House those principles should be clearly recognized and defined on which for the future they were to approach the question of charitable endowments and the diversion of them to public purposes. There seemed to be a superstition that these charitable endowments and these particular properties were to be regarded as on the same footing as, or as having some analogy to, private property. He ventured to think that nothing was more plain than that there was not the smallest analogy between the two cases. When property was given to a corporate Body, such as the Church —the only justification for whose existence in a corporate capacity was that the public desired its maintenance—they were face to face with the fact that the

public—in the present case the Scottish public—were the only parties concerned. The public were the beneficiaries for whom the endowments existed, and if the public chose to say that these endowments were to be diverted to some other purpose, then he should like to know who was entitled to complain. Certainly, no complaint could be put forward on the footing of the rights of property. Then the question remained as to what obligation they were really subject to. They had got thus far—he thought there was an obligation, and a binding obligation, which they must bear in mind in this matter. They must remember that, after all, they who administered these things were trustees not only for this generation, but for future generations. They must remember in diverting the Church property, or any other property, to be careful lest the purpose for which they did make that diversion was a purpose which benefited only the generation in which they lived, and they must see that it would be a purpose which would be recognized by those who came after them as a proper one to which to apply the property with which they were dealing. He (Mr. Haldane) supported most cordially the Motion of the hon. Member for North Aberdeen, because he recognized the purpose to which in his Motion he proposed to devote these assessments as one which future generations would support and approve of. Anyone who knew the state of feeling in Scotland, and who had observed the changes which had taken place in public opinion in that country, would know that the desire for Disestablishment had grown at such a pace that even now the Establishment was well-nigh at an end. The great majority of the Scottish Representatives were more or less pledged to principles of Disestablishment. Wherever they went in Scotland, even amongst Liberal Churchmen, they would find the same opinions prevailing, and they would find a tendency on the part of the people to recognize more and more clearly every day that the only reason which had hitherto withheld some of them from throwing in their lot with the Party of Disestablishment was that they did not wish to appear to set themselves in antagonism to the Establishment for ecclesiastical reasons; but whenever they came face to face with the wishes of the Scottish people, they found them saying that they did not desire the Church property and Church assessments applied to purposes which, after all, only concerned a small section of the community. Those who brought forward and supported this Motion did not propose to stop short without defining some kind of purpose to which these ecclesiastical assessments were to be applied. They did not want them to cease. They were not there for the purpose of asking the House to assent to the principle that they should make a present of the assessments to the landowners out of whose land they issued. The land was held subject to these burdens; and they wanted to see this property applied to purposes which commended themselves to the minds of the Scottish people; and it was because they found those purposes in education, and because there was no other purpose which they knew of which found popular support, that they were there to insist on the diversion of this property, which ought no longer to be held as at present, to the purposes pointed out in the Motion of his hon. Friend.

MR. MARK STEWART (Kirkcudbright), in supporting the Amendment, said that this Motion appeared to be a proposal for partial disendowment, and probably had been brought forward because its Mover thought that the opportunity on Friday night would not be sufficient to discuss the whole question of Disestablishment and Disendowment. He, therefore, now proposed to have Disendowment; and, no doubt, he (Dr. Cameron) would ask on Friday for Disestablishment. If such were their tactics, hon. Members opposite might do their worst. It was necessary for them to be always agitating the public mind on these questions, for unless they did so their seats would not be worth anything at the next Election. If hon. Gentlemen opposite would make the Disestablishment and Disendowment of the Church of Scotland the issue at the next General Election, the Conservative Members for Scotland would be returned in a much larger proportion than they were at present. Between this hon. and learned Member who had just spoken and himself there was upon the question a great gulf fixed. The hon. and learned Member regarded secondary education as of deep importance. So

did he; but he regarded religious education as of more importance still. This proposal for secondary education would, no doubt, benefit the towns, but it would be but of small advantage to the country districts, which would lose the benefits of their endowments devoted to religious education. He altogether differed from the view that these funds should be diverted to purposes alien to the objects and wishes of the founders. Whether the Church of Scotland was disestablished or not, the people of Scotland would stand to it. He admitted the force of the remarks that had been made with regard to Highland parishes, and some reform in regard to these might be necessary, but the Church ought not be judged by exceptional circumstances. The Church of Scotland had as a whole done excellent work, and the parish schools had proved under her auspices most successful.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton) said, that this was really a debate of very limited scope. The question before the House was not that of the Disestablishment or Disendowment of the Church of Scotland. As to whether the people of Scotland would stand by the Established Church, that would be seen on Friday night, when the voice of their Representatives was asked. The House was now discussing a question on the principle of Church rates. In Ireland that question was settled 50 years ago in the way in which it was now sought to settle it in Scotland, and in England it was settled 20 years ago. The House had also voted on two occasions that the question should be similarly settled in Scotland. The question was simply this: While the members of the Free Church, the United Presbyterian Church, and the other voluntary Churches of Scotland built and repaired their own churches out of funds supplied by themselves, without asking anything from their neighbours, was it fair to expect the general community to go on contributing funds for the building and repairs of the churches of one particular denomination—namely, the Established Church? This Resolution was directed against a special ecclesiastical privilege, and did not touch the question of Disestablishment and Disendowment, and, as such, he trusted that every hon. Gentleman on his side of the House would vote for it. It had been said that as times were very bad the Church ought not to be called upon to surrender part of its existing advantages. But in bad times surely the first luxury which a person would wish to dispense with was the luxury of making a compulsory payment for the purpose of keeping up the Church buildings of a denomination to which he did not belong. He agreed that there was a marked difference between the English Church rates and ecclesiastical assessments. These rates were a burden upon the land, and the House would do very wrong, as the custodian of the national property, should it allow the charge to be simply remitted to the landlords. It had been said that the landlord in this matter held a trust for the Church, but he and those who thought with him believed that the landlord held a trust for the nation. He hoped that hon. Members would not be misled by the allusion in the Amendment of the hon. Member for the University of Aberdeen to remedial legislation in relief of those who suffered under these ecclesiastical assessments. All he would say about that Bill now was that he never saw a measure on which he should be more willing to move that it should be read that day three months. There were some names on the back of the Bill which he respected, and in which he had confidence; but there were others of which he would say that he liked not the security. The Bill was one of those aggressive measures which had been brought in from time to time not so much in the interests of the persons whom they were supposed to affect beneficially as for the purpose of injuring the voluntary Churches. He would be prepared to prove that when the proper time cam. He trusted his hon. Friend would consider the advisability of slightly altering his Resolution. For his own part, he should be more than unwilling to vote for any Resolution which specifically appropriated any part of the funds that presently go to the maintenance of the Established Church of Scotland to any special purpose, and he hoped his hon. Friend would consent to put in some words which would imply that these assessments should be exchanged for an annual assessment to be levied for the purpose of benefiting the entire community. Perhaps words such as "for

some unsectarian purpose in Scotland" would meet the wishes of everybody who would be inclined to vote for the Resolution; and certainly by such a change he would, at any rate, lose no votes, except the votes of those who disagreed with the main object of the Resolution.

MR. HUNTER said, he would certainly agree to the suggestion of the right hon. Gentleman.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, that the right hon. Gentleman who had just addressed the House had succeeded in doing what everybody else had studiously avoided—namely, in introducing the word "sectarian" into the debate. He thought it would have been well had the debate been allowed to proceed without the introduction of such an element; but the right hon. Gentleman in the speech which he had made had plainly indicated that the object and intention of the Motion was to have the principle of Disendowment, so far as the Motion went, established by the vote of the House to-night. It was as plain as possible that the whole object and purpose of bringing forward this question on the present occasion was to have a reconnaissance in force with a view to the general engagement which was to follow on Friday. The right hon. Gentleman had also indicated his horror that the Bill had not been brought in for Party reasons, and that his confidence in his own Friends, whose names were on the back of the Bill, was shaken when he found them in the company of three such terrible Gentlemen as the Members for the Universities of Aberdeen and Glasgow, the Member for Peebles and Selkirk, and the Member for Kirkcudbright. He should have thought that when the names of the right hon. Gentleman's Friends were on the back of the Bill, he should have told them what he objected to in its contents.

SIR GEORGE TREVELYAN (interrupting) said, he would not have been in Order in doing so, and would have been stopped.

MR. J. H. A. MACDONALD said, in that case the right hon. Gentleman should not have referred so pointedly to the outside of the Bill for the purpose of questioning what was in it, when he knew that if he had made any direct allusion to the contents he would not have been in Order. The hon. Member for Aberdeen was doubtless actuated by the best of motives in introducing his Amendment, because he told the House that the effect of his Motion, if carried, would be very good for the Church of Scotland. If, however, that were accepted as true by many Friends of his, it would probably not be a ground in their opinion for giving any support to the Motion at all; and it had been brought out very clearly that the aim rather was to move in the general direction of Disestablishment and Disendowment. It had been clearly shown that there was no strongly expressed desire on the part of any substantial portion of the people of Scotland for applying these assessments as proposed by the Motion. The hon. and learned Member for Roxburgh had reminded the House that this question had been before it on several occasions, but he omitted to state that it then fell dead and had been dead ever since. It would be found that Mr. M'Laren on a previous occasion withdrew his Motion because he thought that people were becoming more in favour of Disestablishment. Everything showed that the people of Scotland had never in any way indicated the slightest interest in this matter. His hon. Friend behind him had stated that the question had never been raised in election contests, and his own experience in 1874, 1878, and 1880 was to the effect that the question of Church assessment had never on any single occasion been raised. To talk, therefore, of this question as one which was now agitating the public mind in Scotland was an extravagance. It was not a question raised by the people of Scotland; it was a subject raised by politicians as a stalking-horse for another and a more important question. There was very good reason why the public of Scotland should take no interest in it. If the Church of Scotland were asking the State for money to rebuild churches and repair manses he could understand that the question should be raised. But such was not the case. These assessments had been devoted for hundreds of years to purposes of religion, and the Scottish people had never made any complaint. The fact that there was an admitted grievance on the part of the small feuars was an

indication that there was no general grievance. No case had been mentioned in which the proprietors or any other than the small feuars had made the smallest complaint. The right hon. Member for the Bridgeton Division of Glasgow contended that in these hard times the luxury of paying these assessments should be dispensed with. But it was not proposed by the Motion to abolish the assessments. On the contrary, secondary education was to be assisted out of the money to be drawn from these proprietors and feuars. The only people who were to have nothing to say to the disposal of this money were those from whom it was to be wrung. Nothing could more plainly show that this Motion was only a preliminary skirmish for another question. The money went in aid of a Church which inculcated and taught the same doctrines in morals and Christian faith as were held by the great mass of the population of Scotland, and if they were to devote it to secondary education they would do an act of the greatest injustice. Was it proposed that the poor districts, where secondary education could not reach, should continue to pay this assessment, and that the money should be applied to secondary education in the large towns? Anything more unjust could not be conceived. His hon. Friend had said that the demands made upon the landlords in respect to these assessments were extravagant and were peculiarly irritating because they were intermittent. He asked his hon. Friend whether he was a mandatory for the landlords of Scotland in order to tell the House what were their grievances in that matter. If the landlords of Scotland were selecting a person to act as their representative on that question he thought that they would put his hon. Friend down last on the list of those whom they would choose to speak for them. One hon. Member had spoken of those assessments as robbery and spoliation, but he would remind those who used that language of the words of a gentleman now in a distant country, Mr. Anderson, formerly Member for Glasgow, who, when that matter was discussed before, stated his reasons for voting against such a Resolution as the present, and declared "that it was not only wrong but very stupid, in his opinion, for the Dissenters to go in for that piece of Church robbery." He knew they were to have a great battle on Friday, and no one doubted that the question now before the House was practically embraced in that which was to be disposed of on Friday. Objection was taken to these assessments on the ground that Church rates had been abolished in England, but there was no analogy between the rates in England and these assessments in Scotland. In conclusion, he hoped that the House would reject the Resolution of his hon. Friend, which would lead to no practical result. When the real issue came to be fought it would be fought on the general question which was to be raised on Friday night. If hon. Gentlemen were satisfied, as they professed to be, that Scotland was with them on this question, then let them stick to the real fight, and not raise side issues of this kind.

MR. M'LAGAN (Linlithgow) said, the Resolution of the hon. Member for Aberdeen (Mr. Hunter) contained two distinct propositions. In the first place, it was proposed to abolish assessments for ecclesiastical purposes, and then follows a proposal to divert the assessments to a different purpose altogether. The first of these proposals was identical with that in the Bill introduced by the late Mr. M'Laren, whose object was the abolition of Church rates, and his Bill was drafted on the same lines as the Bill abolishing compulsory Church rates in England. The whole machinery was left the same as if the Church rates were in existence, but they were to be paid voluntarily, instead of compulsorily. He voted on every occasion for that Bill, and he did so for certain reasons; because he considered that ecclesiastical assessments in Scotland were most unjust to the feuars. He saw no way to remedy that, and therefore considered it his duty to take the best way of meeting it; but he had always qualified his vote by his opinion in favour of ecclesiastical assessments being capitalized for the Established Church, so far as there was an Established Church, and afterwards for any purpose Parliament might think proper. If the hon. Member for Aberdeen had directed his Motion solely to the abolition of Church rates, then he should have been bound in consistency to vote for it; but as in the second part his hon. Friend proposed to devote the rates to a different purpose, he must vote against the Resolution. He thought

it right to make these remarks, else his action might be considered open to the charge of inconsistency.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, he did not know whether his hon. Friend (Mr. Hunter) was disposed to alter his Motion. He felt reluctant to pledge himself to the purpose to which the latter portion of the Motion would devote the fund, and he did not think it would be expedient to divide the House upon it now. The appropriation of the rates to one particular Church was a very irritating part of the Establishment, and he should be glad to get rid of that source of irritation; but if he voted with his hon. Friend, it would not be for the latter part of the Resolution.

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) said, he did not think the hon. Member for Linlithgow (Mr. M'Lagan) would be quite consistent if he were to vote for the first part of the Resolution—namely, that assessments of property for Church purposes should cease, seeing that he was quite willing to assent to the continuation of these assessments, provided they were voluntary. But the Resolution provided for absolute abolition. Whereas the hon. Member in former times consistently voted for voluntary rates as in England instead of compulsory, voting for the Resolution now would be voting for abolition altogether.

MR. HUNTER said, before the House went to a Division, he wished to say a word or two on the point that had been raised. In framing the Resolution, he was anxious to invite the attention of the House to the claims of secondary education in the rural districts of Scotland. The right hon. and learned Lord Advocate had entirely misapprehended the point when the right hon. Gentleman supposed he contemplated the application of funds derived from rural districts to towns. That was not his intention at all; towns were well able to look after themselves in the matter of secondary education, it was the rural districts he was desirous of helping in this matter. But having brought the matter to the notice of the House, he had no desire to make that an essential part of the Motion, and would, therefore, at once accept the proposal made. It was on the Amendment the House would now divide, and of course if that Amendment should be carried, it would be unnecessary to go any further; but if the Amendment should be defeated, he would suggest that words be introduced such as those proposed by the hon. Member for the Glasgow and Aberdeen Universities. Then, a word on the Amendment. It was a great mistake to say this was the Disestablishment Question. It was quite true that the Disestablishment Question included Church assessments; the greater includes the less, not the less the greater.

DR. CAMERON (Glasgow, College) said, that this form of putting the Question would shut out subsequent Amendments. Could not the first half of the Motion be put?

MR. SPEAKER: That is not possible; the Forms of the House will not admit of it.

Question put.

The House *divided:* — Ayes 111; Noes, 148: Majority 37.

AYES.

Abraham, W. (Glam.)	Esmonde, Sir T. H. G.
Abraham, W. (Limerick, W.)	Esslemont, P.
Allison, R. A.	Farquharson, Dr. R.
Anderson, C. H.	Fenwick, C.
Asher, A.	Finucane, J.
Barbour, W. B.	Flynn, J. C.
Bickford-Smith, W.	Foley, P. J.
Biggar, J. G.	Fowler, right hon. H. H.
Bolton, J. C.	Fuller, G. P.
Bradlaugh, C.	Gane, J. L.
Bruce, hon. R. P.	Gilhooly, J.
Burt, T.	Graham, R. C.
Buxton, S. C.	Haldane, R. B.
Cameron, C.	Harrington, E.
Cameron, J. M.	Hayden, L. P.
Campbell, Sir G.	Hayne, C. Seale-
Carew, J. L.	Holden, I.
Chamberlain, R.	Hooper, J.
Channing, F. A.	Joicey, J.
Childers, right hon. H. C. E.	Jordan, J.
Clancy, J. J.	Kenny, C. S.
Clark, Dr. G. B.	Kenny, M. J.
Commins, A.	Kilbride, D.
Conway, M.	Lawson, Sir W.
Conybeare, C. A. V.	Lawson, H. L. W.
Corbett, A. C.	Lyell, L.
Cossham, H.	M'Donald, P.
Cox, J. R.	M'Ewan, W.
Crawford, D.	M'Lagan, P.
Cremer, W. R.	M'Laren, W. S. B.
Crilly, D.	Marjoribanks, rt. hon. E.
Deasy, J.	Menzies, R. S.
Dillwyn, L. L.	Molloy, B. C.
Elliot, hon. A. R. D.	Morley, A.
Ellis, J.	Murphy, W. M.
Ellis, T. E.	Nolan, Colonel J. P.

Nolan, J.
O'Brien, J. F. X.
O'Brien, P. J.
O'Connor, J.
O'Hanlon, T.
O'Hea, P.
O'Kelly, J.
Parker, C. S.
Parnell, C. S.
Pease, A. E.
Pease, H. F.
Pinkerton, J.
Powell, W. R. H.
Power, P. J.
Provand, A. D.
Pyne, J. D.
Quinn, T.
Redmond, W. H. K.
Roberts, J.
Roscoe, Sir H. E.
Sexton, T.
Sheehan, J. D.
Sheehy, D.
Sinclair, J.
Stack, J.
Stanhope, hon. P. J.
Stevenson, J. C.
Stewart, H.
Sullivan, D.
Summers, W.
Trevelyan, right hon. Sir G. O.
Tuite, J.
Waddy, S. D.
Wallace, R.
Warmington, C. M.
Will, J. S.
Williamson, J.
Wilson, H. J.
Wilson, I.

TELLERS.
Firth, J. F. B.
Hunter, W. A.

NOES.

Addison, J. E. W.
Ambrose, W.
Amherst, W. A. T.
Anstruther, H. T.
Ashmead-Bartlett, E.
Baden-Powell, Sir G. S.
Bartley, G. C. T.
Bass, H.
Beckett, W.
Bective, Earl of
Bentinck, rt. hn. G. C
Bentinck, Lord H. C.
Bethell, Commander G. R.
Birkbeck, Sir E.
Bond, G. H.
Brodrick, hon. W. St. J. F.
Bruce, Lord H.
Campbell, Sir A.
Carmarthen, Marq. of
Clarke, Sir E. G.
Coddington, W.
Coghill, D. H.
Colomb, Sir J. C. R.
Cooke, C. W. R.
Corry, Sir J. P.
Cotton, Capt. E. T. D.
Curzon, hon. G. N.
Davenport, H. T.
De Cobain, E. S. W.
De Lisle, E. J. L. M. P.
De Worms, Baron H.
Dimsdale, Baron R.
Douglas, A. Akers-
Dugdale, J. S.
Dyke, right hon. Sir W. H.
Ebrington, Viscount
Egerton, hon. A. de T.
Elcho, Lord
Ewing, Sir A. O.
Eyre, Colonel H.
Feilden, Lt.-Gen. R. J.
Fellowes, A. E.
Fergusson, right hon. Sir J.
Field, Admiral E.
Finch, G. H.
Fisher, W. H.
Fitzgerald, R. U. P.
Fitz-Wygram, General Sir F. W.
Folkestone, right hon. Viscount
Forwood, A. B.
Fowler, Sir R. N.
Gent-Davis, R.
Godson, A. F.
Goldsworthy, Major General W. T.
Gorst, Sir J. E.
Goschen, rt. hon. G. J.
Gray, C. W.
Grimston, Viscount
Hamilton, right hon. Lord G. F.
Hanbury, R. W.
Hankey, F. A.
Hardcastle, F.
Heathcote, Capt. J. H. Edwards-
Heaton, J. H.
Herbert, hon. S.
Hermon-Hodge, R. T.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hornby, W. H.
Houldsworth, Sir W. H.
Hozier, J. H. C.
Hubbard, hon. E.
Hughes-Hallett, Col. F. C.
Hunt, F. S.
Jackson, W. L.
Johnston, W.
Kelly, J. R.
Kerans, F. H.
Knowles, L.
Kynoch, G.
Lafone, A.
Lawrance, J. C.
Lawrence, W. F.
Leighton, S.
Lewisham, right hon. Viscount
Llewellyn, E. H.
Long, W. H.
Macartney, W. G. E.
Macdonald, rt. hon. J. H. A.
Maclure, J. W.
Madden, D. H.
Maple, J. B.
Marriott, rt. hon. Sir W. T.
Matthews, rt. hon. H.
Mattinson, M. W.
Maxwell, Sir H. E.
Mayne, Admiral R. C.
Mills, hon. C. W.
Milvain, T.
Morgan, hon. F.
Mowbray, R. G. C.
Muntz, P. A.
Newark, Viscount
Noble, W.
Norton, R.
O'Neill, hon. R. T.
Parker, hon. F.
Pearce, Sir W.
Plowden, Sir W. C.
Plunket, rt. hon. D. R.
Plunkett, hon. J. W.
Raikes, rt. hon. H. C.
Richardson, T.
Ritchie, rt. hn. C. T.
Robertson, Sir W. T.
Robinson, B.
Round, J.
Royden, T. B.
Russell, Sir G.
Russell, T. W.
Seton-Karr, H.
Shaw-Stewart, M. H.
Sidebotham, J. W.
Sidebottom, T. H.
Smith, right hon. W. H.
Stanhope, rt. hon. E.
Stewart, M. J.
Talbot, J. G.
Tapling, T. K
Temple, Sir R.
Theobald, J.
Thorburn, W.
Tollemache, H. J.
Tomlinson, W. E. M.
Vernon, hon. G. R.
Vincent, C. E. H.
Walrond, Col. W. H.
Walsh, hon. A. H. J.
Watson, J.
Webster, Sir R. E.
Webster, R. G.
Wharton, J. L.
Whitley, E.
Whitmore, C. A.
Wodehouse, E. R.
Wood, N.
Wortley, C. B. Stuart-
Young, C. E. B.

TELLERS.
Campbell, J. A.
Dalrymple, Sir C.

Main Question, as amended, proposed.

DR. CAMERON said, after the Division just taken, he should not, under ordinary circumstances, think it right to challenge a Division on the Amendment. But this was a reactionary Amendment; it was not merely an expression of opinion on a matter before the House, it was an expression of opinion, overturning previous Resolutions of the House in a most reactionary manner. It committed the House to a Bill many Members thought objectionable, and which had yet to be discussed. Indeed, he thought it might have been raised as a point of Order, whether a Resolution referring thus to a Bill before the House was exactly within the spirit—it was within the letter, no doubt—of Parliamentary Rules in regard to Bills and Resolutions? It was their duty, he thought, to divide against the Resolution, because it affirmed an altogether reactionary proposal; it was a Resolution, in fact, affirming the desirability of keeping up these assessments for the maintenance of the Church. These assessments had nothing to do with Disestablishment. They

were abolished in England, and still the Church remained established; they were abolished in Ireland long before the question of Disestablishment was dealt with. It was, apart altogether from disestablishment, a grievance promised to be dealt with by the House in quite another fashion, and in regard to which Resolutions of quite an opposite character to this had repeatedly been adopted by the House. They could not accept this Resolution without taking a Division against it. He remembered the history of the question, and the late Mr. M'Laren's efforts to get the grievance abolished. It had been truly said that he gave up his efforts at last, because he perceived that there was a strong current of feeling in Scotland setting in in favour, not of dealing piecemeal with the removal of grievances, but towards remedying the great grievance in ecclesiastical matters by abolishing the connection between Church and State. At that time, the persons who opposed all reform in the matter were those hon. Members who had endeavoured to commit the House to an opinion on the Bill before the House referred to in the Resolution. He and his Friends were bound to express their protest against this Resolution by taking a vote against it. He hoped they would have a strong Division again it, for he was perfectly certain there must be a number of Members on either side who, while dissenting from the original Resolution, must find this was not at all to their taste.

Mr. J. H. A. MACDONALD thought the hon. Member might have accepted the amended Resolution with his usual amiability. The reasons now given for pressing the Division were not the suggestions made against the Amendment when it was under debate.

Mr. WALLACE (Edinburgh, E.) said, he would not have intervened, and would have accepted the present proposal, if he had not been certain that the conclusion the House had just arrived at was not the conclusion of Scotch Votes, and no one was more aware of that than the right hon. and learned Gentleman the Lord Advocate. The right hon. and learned Gentleman must be much misinformed on the question of votes, if he was not aware on this matter that the opinion of Scotch Members had been weighed down by the influence of votes which he and his Government had been able to oppose to Scotch opinion. The hon. Member for the College Division of Glasgow was perfectly consistent, and more than that it would have been dereliction of duty on his part if he had not insisted on another Division, to make it more clear to the people of Scotland that in that House it was not the voice of Scotland that was respected, but that it was by those on the other side of the House, and who were responsible for Government, that the voice of Scotland was systematically defied on all matters in which the feeling and mind of Scotland was interested, and that it was only in matters of small detail that a pretence was made of respecting the opinion of Scotland. It was important that a second Division should be taken in order that the fact he had indicated might a second time be signally illustrated, and no one knew that better than the right hon. and learned Lord Advocate himself, than whom no person was more happy when by the assistance of his Friends from England he was able to bear down the opinion of the country he nominally represented.

Mr. A. R. D. ELLIOT said, that, as one who had gone into the same Lobby with the hon. Member who had just spoken, and should vote with him again, he would take the opportunity of declaring that he entirely disagreed in every respect from the language the hon. Member had used. In that Lobby, he recognized a large number of Members who had no direct interest with Scotch affairs, and among them he was glad to see a majority of the Irish Members. He was aware that there were hon. Members who were so excited on certain questions that they found it impossible to discuss a particular question simply on its merits; but he would appeal to hon. Members on both sides to reject the present proposal on its merits. It was a retrograde proposal, receding from the position several times affirmed; it said that under no circumstances should the House consent to the abolition of a system under which a public fund was now devoted to a single religious denomination. On the merits of the Question he appealed to the House to reject the Motion.

Main Question, as amended, put.

The House *divided:*—Ayes 143; Noes 104: Majority 39.—(Div. List, No. 166.)

Resolved, That as the Ecclesiastical Assessments have been a burden upon land from time immemorial for the erection and repair of church buildings in the old parishes of Scotland, this House, in the absence of any grievance connected therewith, except in the case of feuars, for whose relief a Bill is now before Parliament, declines to entertain a proposal to alienate these assessments to secular ones.

And it being One of the clock a.m., Mr. Speaker adjourned the House without Question put.

HOUSE OF COMMONS,

Wednesday, 20th June, 1888.

MINUTES.]—PUBLIC BILLS — *Committee* — Oaths [7]—R.P.; Companies Clauses Consolidation Act (1845) Amendment [230]—R.P.

Committee—Report—Distress for Rent (Dublin) [159].

Considered as amended—Libel Law Amendment [294]; Reformatory Schools Act (1866) Amendment [161].

Withdrawn—School Fees (Non-Paupers) [13].

PROVISIONAL ORDER BILLS — *Ordered* — *First Reading* — Commons Regulation (Therfield Heath) * [301].

Third Reading—Tramways (No. 2) * [242], and *passed.*

ORDERS OF THE DAY.

—o—

LIBEL LAW AMENDMENT BILL.

(*Sir Algernon Borthwick, Sir Albert Rollit, Mr. Lawson, Mr. Jennings, Dr. Cameron, Mr. John Morley, Mr. E. Dwyer Gray.*)

[BILL 294.] CONSIDERATION.

Bill, as amended, *considered.*

MR. LABOUCHERE (Northampton) said, he wished to move the addition of the clause which stood in his name, as follows:—

"In any action for libel, if the defendant can show by affidavit or other evidence to the satisfaction of a judge of the Division of the High Court of Justice in which such action is brought that the plaintiff is not domiciled within the United Kingdom, the judge shall have power to make an order that the plaintiff shall, within a reasonable time therein mentioned, give full security for the defendant's costs to the satisfaction of one of the masters of such court, and that until such security be given all proceedings in the action shall be stayed."

The House would remember that when the Bill passed the second reading there was a clause of far wider scope of the same nature as this in the Bill. That clause enabled any defendant to go to a Judge and ask him, if he saw no cause against it and if the plaintiff had no available means, to call upon the defendant to give security for costs. That clause did not meet with the approval of the Committee, and was cut out. Now the clause he was proposing, and which he wished inserted in the Bill, was one of the same kind, but of a restricted character. His clause simply proposed that if a foreigner brought an action for libel the Judge might be allowed, on the application of the defendant, to call upon such foreigner to give security for costs, should he not be domiciled in this country. He had given an instance in Committee to show that the Judge ought to be allowed to have that authority. His right hon. and learned Friend the Member for East Denbighshire (Mr. Osborne Morgan) had contested his law, and had said that in all cases the Judge had a right to call upon a plaintiff to give security for costs if he was not a resident in the country. Well, he had referred to a work by his right hon. and learned Friend, and if he (Mr. Osborne Morgan) would allow him (Mr. Labouchere) to say so on his own authority, he would tell him that he was wrong. He saw in a book called *Morgan's Chancery Acts* these words—

"If, however, at the time of the application for security for costs, the plaintiff, whether an Englishman or a foreigner, is within the jurisdiction, though only temporarily security cannot be required."

That was the law—it was admitted to be so, and he (Mr. Labouchere) thought the right hon. and learned Gentleman would bear him out that that was just what the right hon. and learned Gentleman did not say. He had referred to the right hon. and learned Gentleman's work in order to arrive at his views. It amounted to this, that at the present moment a foreigner might come over to England, he might put up at an hotel in Dover; he might bring an action against a newspaper for libel, and if the newspaper proprietor or editor applied to the Judge to require the foreigners to find security for costs the Judge could not oblige the foreigner

to find that security if at the time of the application the man happened to be residing at such hotel in Dover. Then, having brought his action, this foreigner might go away and disappear, and this unfortunate newspaper proprietor had to go into Court and send his counsel into Court, the foreigner never appearing on the scene. It might be if the plaintiff did appear on the scene, the action went against him, but that he had no means of paying the costs, and went back to his own country whither there was no means of following him. He (Mr. Labouchere) thought the hon. and learned Gentleman the Attorney General would admit that his contention was a reasonable one, and that in this case a man should be called upon to give some security for the payment of costs. But what would the hon. and learned Gentleman the Attorney General say against the proposal? He (Mr. Labouchere) would tell the House. He would say, "It is quite right, no doubt, but you must wait for a large measure; why are you to do this in the case of libel and not in all other cases?" Well, everyone in this world must look after himself. Newspaper proprietors must look after themselves. If the hon. and learned Gentleman the Attorney General would bring in that general law they would be perfectly ready to vote for it, but he (Mr. Labouchere) saw nothing on the horizon to lead him to suppose that any such general law was going to be brought in; and he should like to point out that in the matter of libel, the law was different in regard to procedure than that in any other case. In 1882 they had a measure called the "Newspaper Libel Act" before the House——

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): No; in 1881.

MR. LABOUCHERE: Well, in 1881, that Act was passed. There were special provisions in that measure as to procedure in cases of libel. There were special enactments in the Bill not only in regard to libel, but in regard to procedure generally; and he simply asked that, as they happened to have the present measure before them, they should take the opportunity to remedy what was a great wrong to newspaper proprietors. He knew perfectly well that there was very little sympathy with newspaper proprietors in this House. There was only one period when Members of Parliament affected a sympathy with newspapers, and that was just a little before a General Election, and, oh, then the newspaper proprietors were the best of the human race, and everything that newspaper proprietors proposed was listened to with the greatest attention in the House. But he (Mr. Labouchere) did not desire a Bill to be brought forward under such conditions as those. He did not ask for special favour; he wanted fair honest justice. That was all he asked for, in the name of every newspaper proprietor, for every newspaper proprietor in the country was in favour of the clause. The hon. Baronet the Member for Kensington (Sir Algernon Borthwick), on the Conservative side, had put in a clause which would cover the present proposal, and go much farther; but he had struck it out because the Government were opposed to it. He (Mr. Labouchere) was sure he should have the support of the hon. Baronet for that very humble clause which he now begged to move to be read a second time.

New clause (Defendant may obtain security for costs from plaintiffs not domiciled in the United Kingdom,)—*Mr. Labouchere,*)—*brought up,* and read the first time).

Motion made, and Question proposed, "That the Clause be read a second time."

MR. KELLY (Camberwell, N.) said, he regretted that that proposed new clause must be opposed, and if on no other grounds upon those which the hon. Gentleman the senior Member for Northampton (Mr. Labouchere) had himself stated. He (Mr. Kelly) held that the law could not, or should not, be altered in favour of a single class of individuals. If the proposal was to alter the general law so as to do away with the injustice which the hon. Gentleman had pointed out, so far as regarded the general public as well as the newspaper proprietors, it would be a totally different thing; but he did not know upon what principle newspaper proprietors were to be legislated for specially. As a matter of fact, the clause seemed more or less to regard the pecuniary interests of this one class. The point was that, at the present moment, if a foreigner brought an

action against anybody in this country, there was a power to stay the action until security for payment of costs had been given; but that provision applied to all defendants whatsoever against whom actions were brought by foreigners who were not domiciled in this country, whether newspaper proprietors or not, and it was a very proper provision for the protection of our own people. But the hon. Member wished to prevent any foreigner from bringing an action without giving security for costs in one particular class of cases only if the foreigner was not domiciled in England. The protection which was afforded to the whole community at present seemed to him (Mr. Kelly) to be sufficient; but if it was not, then let proper protection be given generally to all classes. The hon. Member talked about the unfortunate newspaper proprietors. Well, he (Mr. Kelly) thought there were very few in that House who would not like to be in the position of some of those unfortunate newspaper proprietors. The hon. Member said these gentlemen were only looking after their own interests. Well, it was refreshing to hear such an admission. The House would accept the statement, and would bear in mind that the newspaper proprietors in the House were looking after their own interests, and not those of the public.

MR. LABOUCHERE: The two are identical.

MR. KELLY said, the hon. Gentleman had stated in the plainest terms that newspaper proprietors were only engaged in looking after their own interests, and nothing else.

MR. LABOUCHERE said, he must explain. He had never said that newspaper proprietors were looking after their own interests, and nothing else. He had said that they were naturally engaged in looking after their own interests, and all the more so because their interests were those of the public.

MR. KELLY said, it was quite clear that the hon. Member said what newspaper proprietors were looking after—namely, their own interests, and it was also clear that in many instances they were looking after those interests without considering the interests of the public. He (Mr. Kelly) might mention this, that, as the hon. Member knew very well, a plaintiff really could never bring an action and then run away; because if he did run away, the action could be stayed at once, unless security for costs was given. But the point was, was the general law to be altered in favour of one particular class, and that particular class the libellers.

MR. OSBORNE MORGAN (Denbighshire, E.) said, it was always disagreeable to be convicted of being in the wrong, but it was especially disagreeable to be so convicted out of one's own mouth. He must admit that he had been in the wrong in what he had stated the other day, but it could hardly be expected of him that he should carry so many pages of printed matter in his head as were contained in the book from which the hon. Member (Mr. Labouchere) had quoted. The hon. Member had stated, that if a foreigner took up his residence at an hotel in Dover, and brought an action against a newspaper, remaining in England as a temporary resident up to the very day when the action was heard, and disappeared as soon as the case went against him, they could not make him give security for costs. Well, it seemed to him (Mr. Osborne Morgan) that that was monstrously unjust. He was as much opposed as any man could be to these small alterations of the law in favour of particular classes, and if there was any chance of their being able to bring about an alteration of the law generally in this respect, he should agree that it would be better to proceed by way of a general enactment; but they all knew that there was not the slightest chance of that this Session, and he thought that that was a case in which they might go out of their way to obtain what little they could, and, under the circumstances, he was disposed to support the proposed clause. There was an objection—a verbal one—to one word in the clause—namely, to the word "domicile." Every lawyer knew that that was a most dangerous word. He believed that the word "domicile" had caused more litigation than any other word in the Dictionary, and he would, therefore, propose that in place of the words, "the plaintiff is not domiciled within the United Kingdom," the hon. Member should use some such words as these—"the plaintiff has no permanent place of residence in the United Kingdom." That was a word which had received a recognized meaning in the

Courts, and which there would be no difficulty whatever in construing. If the hon. Member would be willing to adopt that alteration, he (Mr. Osborne Morgan) would feel bound to support the clause.

MR. COGHILL (Newcastle-under-Lyme) said, he must protest against this special exemption which the hon. Member (Mr. Labouchere) was attempting to introduce for the benefit of newspaper proprietors. They heard from the hon. Member for Northampton (Mr. Labouchere) a week ago, the serious expenses he had been put to in consequence of a gentleman bringing an action against him having no private domicile in this country. What he should like to know from the hon. Member was, whether he thought actions for libel were at the end of the year to be placed to the profit or loss account of newspapers? When they remembered the large number of libel actions which had been brought against the periodical called *Truth*, they would probably have some notion that libel actions had been a very good advertisement for that paper. The arguments the hon. Member brought forward as to these actions cut both ways. The hon. Member said that a foreigner might be staying at an hotel in Dover, and might bring an action against a newspaper and disappear before costs could be claimed against him; but, on the other hand, a foreigner who was only making a short stay in the country might be grossly libelled, and it might be a matter of serious inconvenience to him to have to remain a long time here in order to bring an action in consequence of that libel. Therefore, the hardship was just as much on the foreigner as on the newspaper, and he (Mr. Coghill) would point out to the hon. Member who brought forward this clause, that the remedy for the evil of which he complained was very easy. Supposing that a person who would otherwise be the subject of a libel had no visible property and no permanent residence in this country, all that would be necessary to do in order to avoid an action would be to exercise more care in writing paragraphs. Before libelling a gentleman staying at an hotel in Dover, the newspaper proprietor would only have to make inquiries to find out the gentleman's residence, and on discovering that his stay was only temporary, he could tear up the racy paragraph he had intended to insert in his paper, and put it in the waste-paper basket. He (Mr. Coghill) objected to this attempt to give special security to gentlemen who published these paragraphs in newspapers simply and solely for their own benefit. He hoped the House would not afford special privileges by legislation to a class of gentlemen who were chiefly promoters of society journals.

SIR ALBERT ROLLIT (Islington, S.) said, the chief objection to this clause seemed to rest on the principle that they ought not to legislate especially for the benefit of the Press. He would point out that the whole Statute they were proposing to enact was essentially and exceptionally one for the benefit of the Press, and why? Because the Press stood in an exceptional position. It was no exaggeration to say that the Press did not exist merely for the advancement of private interests, and when the hon. Member was taunted with the statement that newspaper proprietors were simply advocating their own interests in that House, he thought the statement was contrary to the facts of the case. The Press had a public duty to perform, and he could not help thinking that in the past it had performed that duty satisfactorily, and had watched the interests of the public with the greatest care. He could not help thinking, too, that it deserved well of the country for the manner in which it had disseminated truth amongst the people. The hon. Member opposite (Mr. Coghill), in the remarks he had just made, seemed to have lost sight of a very important point. He said that if a person was not domiciled in this country, more care ought to be exercised in writing a paragraph containing any reference to him. But how was an editor, when certain information had reached him at a late hour of the night or an early hour in the morning, to make inquiries as to whether the person referred to, who might bring an action for libel, had a permanent residence in this country or not? If an editor had to allow a considerable period to elapse in order to make such inquiries, the information he might be desirous of giving to the public might cease to be news. As an opportunity seemed to exist for doing that which was just and

fair towards the Press, which he contended merited some exceptional treatment on the grounds he had stated, he trusted that the clause would be accepted as, at all events, a tentative remedy for an existing evil.

MR. ANDERSON (Elgin and Nairn) said, he did not think that the hon. Member for Northampton (Mr. Labouchere) quite understood the effect of the clause which he had moved. In the first place he had not made it apply to foreigners. There was nothing about foreigners in the clause, but as it was worded it would apply to all people—Englishmen, Scotchmen, and Irishmen, who did not happen to have a permanent residence in the United Kingdom. There were many persons living in England who were not domiciled, including Scotchmen, Irishmen, Frenchmen, and Germans. Was it proposed to treat them differently from Englishmen? He considered the clause most dangerous, containing as it did a novel principle. Probably the clause as it was drawn failed to carry out the intentions of the hon. Member. At the present moment the law would require a plaintiff to give security for costs, but the clause would have greater effect than that. There were thousands of persons living in this country at the present moment who had lived here for many years, but who, as was perfectly well known, were not domiciled. Under the clause a native of Scotland who had lived in London for years might not be domiciled in the United Kingdom. He should certainly oppose any Amendment of the Bill as suggested by the hon. Member for Northampton, because he did not think any Amendment could be proposed which would not interfere with the recognized practice in these matters. If a person came into Court now he was compelled to give security for costs.

MR. RADCLIFFE COOKE (Newington, W.) said, the clause proposed by the hon. Member for Northampton had been treated as if it related solely to newspapers, and was solely intended to affect newspaper proprietors, whereas in reality it proposed to alter the law of libel in regard to the whole community, and was not confined to newspaper proprietors at all. Objection was taken to the introduction of the word "domicile" into the clause. He understood that the hon. Member for Northampton, who moved the clause, would be willing to substitute for the word "domicile" some such words as "permanent residence." He maintained that the law as it stood was quite sufficient to meet the grievance of which the hon. Member for Northampton complained. He would read again the clause in an Act of Parliament which he had ventured to read on Wednesday last, because the section in question gave to a defendant exactly the security which the hon. Member for Northampton was desirous of giving. Section 10 of the County Courts Act, 1867, provided that any person against whom an action for libel or slander was brought, should have power to make an affidavit that the plaintiff had no visible means of paying costs if the verdict was not found for the plaintiff. Thereupon, the Judge of the Court in which the action was brought was empowered to make an order that unless the plaintiff gave full security for the defendant's costs to the satisfaction of the Master of the Court, all proceedings in the action should be stayed. The hon. Member for Northampton, in the course of the discussion upon this Bill in Committee last week, referred to the case of some plaintiff who had sued a man and then subsequently left the country. The accusation was, that the moment the verdict was given against the plaintiff the plaintiff bolted, and the defendant found it impossible to get his costs. But that was very much the fault of the defendant himself, because the proper time to apply for security for costs was after the issue of the writ and before the trial. If the defendant in the case referred to had adopted that course he would not have lost his costs. There was another ground on which he ventured to oppose the Amendment. He opposed it on the ground that the law was sufficient, and that it did give that security for costs which the hon. Member desired; and he opposed it also on the ground that there was an order of the Supreme Court which exactly met the case. By Order 65, Rule 6, a plaintiff out of the jurisdiction of the Court might be ordered to give security for costs, although he might be temporarily resident within the jurisdiction. He thought that Order, coupled with the 10th section of the County Courts Act, met the case which the hon. Member desired to provide for by this

Amendment. For this and other reasons, which had already been stated to the House, he thought it extremely undesirable to spoil a good Bill, and a Bill which he hoped would become law, by introducing into it a superfluous and mischievous clause.

MR. LAWSON (St. Pancras, W.) said, he wished to express his deep regret that so many hon. and learned Members of the long robe had thought it necessary to come down there in order to try and stop the progress of the Bill. [*Cries of* "No!"] Oh, yes; the House had seen what had taken place. They got up one after the other, and attributed to newspaper proprietors interested motives in support of the Bill; but it had been pointed out that the interests of newspaper proprietors were identical and conterminous with those of the public, and it was a particularly dangerous argument to use. It was quite obvious from whom the real opposition to the measure came; and he begged to tell hon. and learned Gentlemen that people who lived in glass houses should not throw stones. The lawyers in that House should be the last persons in the world to pretend that their own action was entirely dictated by disinterested motives. The hon. and learned Member for West Newington (Mr. Radcliffe Cooke) had referred to a section of the County Courts Act; but, speaking as a layman, he believed it was true that the section quoted by the hon. and learned Member only applied to cases where the judgment was under £50. [*Cries of* "No!"] He was told by an hon. and learned Friend that that was so.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, that whatever the amount at stake might be, the Judge had a perfect right to send the case to be tried by the County Court.

MR. LAWSON said, that in that case there would be no special jury, and both sides would be obliged to have the County Court as their tribunal. In many cases that was not the course which the defendant in an action for libel would be likely to take. He was told that the Order to which the hon. Gentleman had just alluded was practically not acted upon. Probably the right hon. and learned Gentleman the Member for East Denbighshire would be able to speak from his own experience in this matter, which was very extensive. He wished now to deal for a moment with the argument of the hon. and learned Member for Newcastle-under-Lyme (Mr. Coghill), who spoke earlier, and talked about the protection given to the newspaper Press, which was already making immense profits out of the public. It must be remembered that this Bill did not apply to the London newspapers only, but to the whole Press of the country; and he doubted whether the capital invested in that industry brought in as much as 5 per cent. The hon. Member had continually before his eyes one or two flourishing papers. Those newspapers could, no doubt, well afford to pay their expenses; but the clause was proposed in the interests of proprietors whose means were very much more limited. The hon. and learned Member for Elgin and Nairn (Mr. Anderson) had pointed out that by the clause, in its unamended state, it would be quite feasible for an Englishman, as well as an alien, to be brought under its provisions; but that was exactly the case at the present time.

MR. ANDERSON said, the hon. Member for Northampton had said that the clause applied to foreigners, and all he (Mr. Anderson) did was to deny that assertion. It applied to Scotchmen and Irishmen quite as much as to Frenchmen and Germans.

MR. LAWSON said, that, as a matter of fact the power given to the clause was only a discretionary one—namely, that the Judge should have power to make an order. It was not absolute or compulsory. If the House considered it better to have a further safeguard there was no objection to insert some such words as "being an alien"; that would probably meet the objection which had been raised. In truth, they were trying in the clause proposed by his hon. Friend to meet a case in which a plaintiff in a bogus action stayed in in this country just for a sufficient length of time to escape the obligation of being required to give security for costs. He then went away, and left his solicitor to carry on the action without any visible means of paying the expenses of the law suit if, in the end, it went against him. It was for the small newspaper proprietors that they were

standing up, on account of the special dangers and liabilities to which they were exposed, and seeing that the clause was reasonably just and equitable, he thought his hon. Friend was quite justified in pressing it.

SIR RICHARD WEBSTER said, the hon. Member for West St. Pancras (Mr. Lawson) had really no reason to complain because the legal Members of the House thought fit to express their opinions on this matter. If the newspaper proprietors would interfere in matters which were really questions of legal practice, they had no ground to complain if those who were connected with the law told the House what the practice of the law was. It was much to be regretted that the Bar had lost for so many years the personal attendance of his right hon. and learned Friend the Member for East Denbighshire (Mr. Osborne Morgan). In regard to this particular question, however, the Order which had been read by his hon. and learned Friend the Member for West Newington (Mr. Radcliffe Cooke), provided, so as to prevent any escape from giving security for costs, that a plaintiff should show that he had a permanent residence in this country. It was perfectly correct to say that where a plaintiff had no ordinary place of residence in the British Isles he might be ordered to give security for costs, and that rule applied whether he was a foreigner or an Englishman residing elsewhere. The word "domicile" was a very difficult word to interpret, and might depend upon a variety of circumstances. The law, as he understood it, was this—the plaintiff issued a writ, and the defendant found out that he had no residence, but, as suggested, was staying at some hotel at Dover. He, therefore, took out a summons, calling on the plaintiff to show that his ordinary place of residence was in the United Kingdom, and if not, then he was required to give security for costs. If the proceedings were protracted, then the defendant could make a further application, stating that the security already given was insufficient, and the Master had full power to increase the amount of security. He had therefore submitted to the House that the present law was sufficient, and that it would only be re-enacted by the clause, even if amended as the hon. Member was willing to amend it. He had the strongest sympathy with the newspaper proprietors against these bogus actions. He had never said a single word either aginst the newspaper Press or the newspaper proprietors. On the contrary, he thought that if such legislation was necessary they ought to have it, but, at the same time, he did not think the clause would produce any practical effect, or that there was any greater difficulty in getting security for costs from non-resident plaintiffs than from other persons. It was one of those ills which everybody was heir to, and newspaper proprietors must bear it with the rest of mankind. He opposed the clause on the ground that it would not produce any satisfactory result, and if it were amended, as the hon. Member proposed to amend it, it would simply re-enact the existing law. He therefore asked the House to reject it.

Question put.

The House *divided*:—Ayes 73; Noes 88: Majority 15.—(Div. List, No. 167.)

SIR ALGERNON BORTHWICK (Kensington, S.), in moving the insertion of the following new clause:—

"It shall be competent for a judge or the Court upon an application by or on behalf of two or more defendants in actions in respect to the same, or substantially the same, libel brought by one and the same person to make an order for the consolidation of such actions; and, after such order has been made and before the trial of the said actions, the defendants in any new actions instituted in respect to the same, or substantially the same, libel shall also be entitled to be joined in a common action upon a joint application being made by such new defendants and the defendants in the actions already consolidated. The Court shall also have power to stay proceedings for such period and upon such terms as it may see fit in any actions, consolidated or otherwise, upon an application accompanied by an affidavit being made, with the concurrence of the defendants in the original actions, by any person threatened with proceedings by the same plaintiff for publishing the same, or substantially the same, libel,"

said, that, in his opinion, the clause was a most important one, seeing that it would produce greater simplicity in regard to actions for libel against newspaper proprietors. The consolidation of various actions into one would ensure a fair hearing of the whole matter, and would effect a great saving so far as costs were concerned, and of time as well. He was quite certain that the House would not attempt to get rid of

the clause by simply saying that it was for the benefit of newspaper proprietors. As the hon. Member for St. Pancras (Mr. Lawson) had pointed out, newspaper proprietors, as a body, must not be looked upon as rich men. There were 1,200 newspapers in Great Britain which were honestly working for the public, and it would be found that in a great majority of cases the newspaper proprietors were not men who ought to be punished beyond what they could bear for a mistake or an error of judgment. At the same time, he desired to refrain from joining in the sneers and attacks which some hon. Members had thought fit to make on the Legal Profession on the ground that it was their interest to multiply actions. He was satisfied that that was a libel upon the Legal Profession than which there was not a more honourable one in the world. At the same time, hon. Members ought to show some tenderness for newspaper proprietors on this subject, seeing that they themselves were literally hedged and fenced about by barriers and barricades of privilege. Therefore they might, in some case, concede to others the advantages which they so plentifully enjoyed themselves. The object of the clause was simply to consolidate actions. It was unnecessary to point out that over and over again an action had been brought by the same plaintiff against several defendants for the same libel. He would mention an instance which had been brought under his own notice. That very morning he had received a letter from a provincial newspaper proprietor stating that, a certain newspaper having published what was undoubtedly a libel—a sort of sketch or skit after the fashion of Dickens' *Dotheboys Hall*—the proprietor of a school came forward and said—"That cap fits me, and I will prosecute the newspaper." He did so, and recovered £250 damages. No doubt that was right and just; but the proprietor of the school having thus been satisfied in Court in respect of the injury he had sustained, finding that the article had been copied by other newspapers as a literary production, with no idea in the world to provide a cap to fit anybody, had brought fresh actions against the proprietors of those newspapers, laying his damages in each case at £5,000. That, no doubt, was a great hardship, which, to some extent, this clause would remedy. The clause proposed that where sufficient actions were brought in respect of the same, or substantially the same libel, the Judge or the Court should have power of making an order for the consolidation of such actions.

New Clause (Consolidation of actions,)—(*Sir Algernon Borthwick,*)—*brought up,* and read the first time.

Motion made and Question proposed, "That the Clause be read the second time."

MR. RADCLIFFE COOKE said, he wished to point out that a good deal of this clause was already provided for under the existing law. He had no desire to speak against newspaper writers, for in a small way he had been one himself, and perhaps the first part of the clause might be accepted by the House on the ground that it did no harm. By Order 49 of the Rules of the Supreme Court, it was provided that actions might be consolidated by an Order of the Court, and it was a constant practice to consolidate actions brought by one plaintiff against several defendants. That course was pursued in the notorious Colledge case, where the plaintiff had received something like £3,000 already. That was to say that proceedings in 16 or 17 actions which were pending were stayed to abide the decision in one action. That practically amounted to what the hon. Baronet (Sir Algernon Borthwick) desired to see enacted in the present clause. He should not, therefore, oppose the clause altogether, on the ground that although it did not do much good it did not do much harm, and the early part of it would effect a small Amendment in the existing law. He did not think, however, that the House should accept the concluding paragraph of the clause—

"The Court shall also have power to stay proceedings for such period and upon such terms as it may see fit in any actions, consolidated or otherwise, upon an application accompanied by an affidavit being made, with the concurrence of the defendants in the original actions, by any person threatened with proceedings by the same plaintiff for publishing the same or substantially the same libel."

That meant nothing more nor less than that where a person, wholly independent of the original plaintiff, said he intended to bring an action for libel, or

threatened to do so, although entirely disconnected from the original plaintiff, upon an affidavit being made by the defendant, the proceedings might be stayed. If that part of the clause were struck out, he, for his own part, had no great objection to the rest of the clause being embodied in the Bill.

MR. ANDERSON said, he thought the hon. and learned Member who had just addressed the House was mistaken as to what the law was in regard to the consolidation of actions. In no case of libel could consolidation take place. Consolidation took place where there was question of fact and where one trial would determine the question, so far as every other action was concerned, together with the amount of damages—such, for instance, as actions on marine policies. It had never been suggested that actions for libel which might be brought against several newspapers should be consolidated, because if such actions were consolidated the difficulty which would arise would be how the damages were to be apportioned. He understood that the suggestion now made was that in the event of a plaintiff bringing several actions against *The Morning Post*, *The Daily Telegraph*, and various newspapers, all of them were to be stayed, except that against *The Morning Post*.

MR. RICHARD WEBSTER: No; they are to be consolidated into one action.

MR. ANDERSON said, he failed to see how in that case the damages were to be assessed against the newspaper proprietors. It would introduce an entirely novel practice into the law, and it was intended by an understanding which had been arrived at with the Government, that later on newspaper proprietors should be allowed to give evidence in one action, though other actions were pending.

SIR RICHARD WEBSTER said, he had explained on a previous occasion that no understanding of that kind had been arrived at.

MR. ANDERSON said, he had understood from what took place on the previous occasion that the hon. Baronet the Member for South Kensington (Sir Algernon Borthwick) had placed on the Paper an Amendment excluding a particular clause from the Bill, and was prepared to move it on the understanding that the hon. and learned Attorney General would insert an Amendment later on.

SIR RICHARD WEBSTER: No; nothing of the kind.

MR. ANDERSON said, he was to understand then that that was not so. The 6th clause of the Bill contained a very large concession, and he thought the newspaper proprietors ought to be satisfied with it. It met everything that they could possibly desire, and if the clause now under discussion were inserted also, it would lead to the greatest possible confusion. He thought the hon. Baronet ought to be satisfied with the 6th clause.

SIR RICHARD WEBSTER said, it might perhaps save the time of the House if he were to make a short statement in regard to this clause. He did not quite agree with either of his hon. and learned Friends. There could be no doubt that the principle of consolidation on libel actions was established indirectly in the Colledge case. But this clause went a little further, and provided that where practically the same action was brought by several plaintiffs in respect of the same libel such actions might be consolidated. The present Rule with regard to the consolidation of actions was by no means clear, and he thought that if the House were of opinion that it was prudent to give libellers the right of consolidation, the clause would be an improvement in the law. Therefore, in so far as it proposed to give power to the judge to consolidate actions, the clause would, he thought, be useful. He did not see why any difficulty should arise with regard to damages, for, as his hon. and learned Friend would remember, there was no contribution among wrong-doers. Each award in the case of libel would be for the full amount of damages and costs. With regard to the last part of the clause, giving power to stay proceedings upon the application of any person threatened with proceedings by the same plaintiff for the same libel, it certainly did introduce an entirely new principle, and he could only assent to the 2nd clause on the definite understanding that that part was withdrawn.

SIR ALGERNON BORTHWICK said, he would withdraw that part of the clause to which the hon. and learned Gentleman took exception.

MR. KELLY said, he concurred with the hon. and learned Member for Elgin and Nairn that newspaper proprietors were sufficiently protected by the law as it stood. If they were to consolidate all actions it was quite certain that there would never be any action for libel tried at all except at great expense to the plaintiff, and they would have the leading newspapers united as defendants with the humblest organs of the Press. He could not possibly understand how the damage done to a man by the circulation of a libel to him in all parts of the Kingdom could be ascertained in one action. If this clause were inserted there never would be any action tried at all, because the newspapers would continue libelling, and every fresh libel would necessitate fresh stays of the original action. He considered that newspapers were sufficiently protected now, and if this clause were passed it would lead to the greatest possible confusion in the Courts, and, above all, in the minds of the jurors who would have to assess the damages. It would only be necessary for a newspaper to go on printing libellous matter over and over again in order to prevent a plaintiff obtaining a verdict at all in a case where it might be most essential that he should have a decision as speedily as possible.

SIR ALBERT ROLLIT said, he wished to point out that the alternative to the objections raised by the hon. Gentleman the Member for North Camberwell (Mr. Kelly) was that if a multiplicity of actions was to be allowed they would have an unknown quantity to deal with instead of having one jury trying the whole matter, and bringing it to a conclusion with a comparatively small amount of cost. For instance, they might have 60 juries dealing with the same state of circumstances with 60 times the amount of costs involved. It was to protect the newspaper proprietors against the excessive costs which would be imposed upon them in such cases that the clause was introduced. Attention had already been called to the fact that in one case 60 actions were brought against a newspaper proprietor for a libel that was inserted through no negligence, and from no malicious motive. The newspaper proprietors settled these actions to a large extent privately, and if the plaintiff had lived he would no doubt have been able to have obtained large amounts in the shape of costs. In another case an action was brought against the *Dublin Evening Telegraph*, and damages were claimed by a noble lady for libel. The error was due to the *Press Association*, and not to the newspaper at all. All the actions were settled except one, which was proceeded with, and damages, together with a large amount of costs, recovered. No doubt, the leading daily papers were able to bear a considerable amount of expense, but the interest of the poorer and, at the same time, respectable papers demanded that this clause should be agreed to. It was on the ground that the clause would save a great deal of the tremendous expense to which newspaper proprietors were now put that he supported it.

MR. TOMLINSON (Preston) said, he could not understand why, if this matter was of such importance as it was now said to be, it was not brought forward before the Report stage of the Bill. He could not think it was desirable at this stage of the proceedings upon the Bill to introduce this new and very important provision.

Question put, and *agreed to*.

SIR ALGERNON BORTHWICK (Kensington, S.) moved the omission of the words after the word "consolidated" in line 9 of the clause.

Amendment proposed, in line 9 of the proposed new Clause, to leave out all the words after the word "consolidated" to the end of the Clause.—(*Sir Algernon Borthwick.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived*.

Words *struck out*.

Question, "That the Clause, as amended, be added to the Bill," put and *agreed to*.

MR. S. SMITH (Flintshire) said, he begged to move the new clause which stood in his name; but, with the permission of the House, he desired to make a slight alteration in the wording of it. The clause in the amended form would read—

"It shall not be necessary to set out in any indictment or other judicial proceeding instituted against the publisher of any blasphemous, indecent, or scandalous libel the passages complained of, but it shall be sufficient to deposit the indictment and particulars with sufficient

indications to show precisely in what part of the book, newspaper, or other document the alleged blasphemous, indecent, or scandalous libel is contained, and the person prosecuted shall be entitled to a copy of such particulars, and such particulars shall be deemed to be part of the record."

The object of that new clause was to prevent scandalous, blasphemous, and indecent matter passing through the hands of a large number of clerks, young men, and it might be boys, as was necessary under the present state of the law. In fact, there was considerable danger in prosecuting for such libels; because they ran the risk of corrupting the minds of a large number of persons in pursuing the course now required by law. He had received a letter from one who had large experience in prosecutions of this kind, and it brought vividly before his mind the evil effects which followed from the present state of the law. The writer said that obscene passages were included in the draft case prepared in the solicitors' office; probably, they were copied again in the chambers of the counsel who drew the indictment; they were sent to the law stationer's, where two, if not more, copies had to be made; these had to be carefully examined and compared with the original; the indictment was lodged at the office of the Clerk of the Peace, brought by the usher before the Grand Jury, and it was read in Court, where the defendant was entitled to have the indictment literally read, word by word, so that the obscene matter came before thousands of people before it was finally submitted to the jury, and being read in Court it might be published in newspapers. Now, when the House remembered that the matter referred to was of the most detestable kind, of such a kind that it was almost impossible for any people to read it without having their minds polluted, they must see the great advantage of the change in the law he recommended. According to the clause, all that would be necessary would be that the passages should be marked, and described, and read by the jury. There was no necessity that they should be publicly read, and that they should so get into the newspapers and be diffused throughout the country, doing a very great mischief, in fact, doing the very mischief it should be the object of the law to prevent. He could not think anyone would object to this change of the law, and he had every hope that the hon. and learned Gentleman the Attorney General would be able to give his support to this clause. He begged, with great pleasure, to move the clause in the amended form in which he had read it to the House.

MR. SPEAKER said, that the more regular course would be for the hon. Gentleman to move the clause in the terms in which it appeared upon the Paper, and then, if it was the pleasure of the House to read it a second time, for the hon. Gentleman to propose whatever Amendments he might wish to make in it.

New Clause (Obscene matter need not be set forth in an indictment or other judicial proceedings,) — (*Mr. Samuel Smith,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. DARLING (Deptford) said, the proposal of the hon. Gentleman, although, no doubt, made in the interests of decency, was, in the interests of justice, most inadvisable. It was perfectly obvious, from the language of the clause, as the hon. Member first of all proposed it, that he was wholly unacquainted with the form of indictment in actions for libel, and with the trial of such indictments. The clause, as they were asked at present to enact it, provided that where there was an indictment for an indecent or, it might be, blasphemous libel, it should be sufficient to indicate in the indictment, he presumed, though it was not stated, what were the passages that were complained of, and that then it should be necessary to refer to the document, book, or newspaper, in order to discover what ought to be part of the indictment. The clause went on to provide that such communication should be deemed to be sufficient evidence in support of the alleged libel. [The ATTORNEY GENERAL (Sir Richard Webster) (Isle of Wight): That has been struck out.] He was told that that passage was to be struck out. The hon. Member for Flintshire (Mr. S. Smith) might have considered what sufficient evidence meant. How could they have sufficient evidence in support of libellous matter? In his (Mr. Darling's) opinion, it was nonsense to use language of that

kind. What was proposed, in some form or another, was that in order that little boys in law stationers' offices should not be shocked, a book or a newspaper should be attached to the indictment for libel, with some indication or other as to the passages in the book or the newspaper which were necessary in order to prove the case for the prosecution. The hon. Member suggested that, that having been done, and the defendant put upon his trial, the jury should simply look over the indicated passages, and that the people in Court who were interested in justice being administered should never, from end to end of the trial, know what the passages were, and never from end to end of the trial know whether there was in them anything indecent or blasphemous. That would practically mean a trial *in camerâ* upon the mere allegation of the prosecutor that the matter complained of was blasphemous or indecent. What, after all, was the harm supposed to be done? The hon. Gentleman desired to prevent the perusal of indecent passages by boys, small boys, who he said were engaged in the different offices through which indictments passed. As a matter of fact, there was no proof that the copyists in these offices were boys. If the hon. Member knew anything about the clerks engaged in law stationers' offices and in lawyers' offices, he would know that they copied anything put before them, that they must copy many things which were not particularly decent, and that they copied them so mechanically, that it made little or no impression on their minds. He (Mr. Darling) was himself a lawyer, and he did not think that the necessary perusal of these indecent things had done him any harm. When a counsel had once read a brief, he afterwards took uncommonly little interest in it, and probably, at the expiration of a week, he would be unable to say what it was about. He had no doubt that stationers' boys were in pretty much the same position; but, even if they were in a worse position, was this not straining at a gnat? In Courts of Justice, it always must be that even the most indecent proceedings must be detailed; it was impossible to have indecent details huddled up in the manner the hon. Gentleman suggested. If the proposition of the hon. Member for Flintshire (Mr. S. Smith) were pushed to its logical conclusion many criminal cases would be left untried for fear that they might produce a bad effect on the minds of police constables or ushers, or others engaged about the Courts. Of course, one knew perfectly well what put this idea in the hon. Gentleman's mind. There was a most interesting work, he believed, though he had never read it, which was called *The Fruits of Philosophy*. With respect to that work there was a prosecution, the passages complained of were not set out in the indictment, and the indictment failed upon that technical point. Since then, all indecent matter had been copied into indictments, and there was very good reason why it should be. If a person had been tried for libel or for anything else, and he was brought up again, he was entitled to plead that he had been either convicted or acquitted in respect to the same matter, and, in order that he should be able to plead that, it was necessary that he should be able to produce the indictment which contained the record of the decision of the jury. It was obvious that if a man had been convicted or acquitted already, he was entitled to be acquitted of that charge in future, and he was for that reason entitled to plead *autrefois acquit* or *autrefois convict*, as the case might be. It would be a distinct disadvantage to all prisoners or people tried for libel in the future, if they could not avail themselves as easily as they could now of the proper and most useful plea that they had been tried and acquitted or convicted before of the offence now laid at their door. He regretted to have to oppose as strongly as he felt bound to do a proposal, no doubt, made in the interests of decency; but he could not help thinking that this was an overstraining of any desire there might be to amend the law in this direction.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) trusted the House would allow him to make a very brief statement in regard to this clause. He was very sorry to say he entirely differed from his hon. and learned Friend the Member for Deptford (Mr. Darling). If his hon. and learned Friend only had brought before him the amount of frightful literature, blasphemous, indecent, and obscene, which came before the Law Officers of the Crown, he would feel that every step should be taken to prevent the dissemi-

nation of such literature, even if it affected only 10 or 12 people. It was perfectly impossible to exaggerate the evil effect of the flood of disgusting, blasphemous, and indecent literature now being printed and spread broadcast over the country; and yet often it was inadvisable to take proceedings, because of the injury done by the details of the proceedings. He had said that in order that the House might understand his private opinion in regard to this clause. Of course, he was by no means insensible to the legal difficulties which had been suggested. If any single prisoner could be deprived of any right, if any harm could be done by the clause, notwithstanding the evils he had referred to, he should oppose the clause. But let him point out to his hon. and learned Friend and to the House that it did seem to him that, by the insertion of a very few words, every one of the objections that had been raised might be met. The point his hon. and learned Friend had raised was that, upon the indictment, it was necessary to endorse the libellous passages complained of to guard against the plea of error being set up. He (Sir Richard Webster) quite agreed that provision should be made that the proceedings should be exactly in the same position as if the words had been set out. It was quite evident, too, that the words "such indication shall be deemed sufficient evidence" could not possibly justify this Motion. When that objection was pointed out to the Mover of the clause he saw the clause went too far, and that the latter part was not necessary in order to meet the grievance he wished to remedy. The hon. and learned Gentleman the Member for Deptford (Mr. Darling) had suggested that those in Court at the trial of a case would never see or hear the passages complained of. That was not intended; as he understood it, the object of this clause was simply to prevent the unnecessary copying and re-copying of many things which need not be re-copied for the purposes of the proceedings, and to insure that only so many copies should be produced as were absolutely necessary. By that means half-a-dozen, or possibly 20 people, who would have never seen these passages, unless it was for the necessity of copying them, would be spared the sight of them. Now, he had considered the clause with a desire to assist the hon. Gentleman the Member for Flintshire (Mr. S. Smith), because he sympathized with the object the hon. Gentleman had in view. He had, however, to suggest that the clause should be amended; that it should, in fact, read as follows:—

"It shall not be necessary to set out in any indictment or other judicial proceeding instituted against the publisher of any"—

perhaps it might be as well to insert "blasphemous"—

"blasphemous or obscene libel"—

he thought it was not necessary to introduce the word "scandalous"—

"the blasphemous or obscene passages, but it shall be sufficient to deposit the book, newspaper, or other document containing the alleged libel with the indictment or other judicial proceeding, together with particulars showing precisely, by reference to pages and lines, in what part of the book, newspaper, or other document the alleged libel is to be found, and that such particulars shall be deemed to form part of the record, and all proceedings may be taken thereon as if the passages complained of had been set out in the indictment or other judicial proceeding."

If the alteration he suggested were agreed to, the prisoner would have the same right he had at present—the Court would be in exactly the same position as it was at present. The indictment, which he hoped they would see abolished altogether before very long, and a simpler form adopted, would remain in the possession of the officer of the Court, and the jury would take the wording as they heard it read by the officer of the Court, or possibly as they heard it read by the learned Judge. As the clause stood, copies of the book containing the objectionable passages would be handed to the jury, who would thus possibly examine the particular passages more easily than if they were set out in the indictment. His hon. and learned Friend (Mr. Darling) desired to reserve to a prisoner all the rights he now possessed; all those rights would be reserved under the amended clause which he had suggested. He thought that by the amended clause they would get rid of what was a substantial evil; though it might affect only a small number of persons, they would certainly do no harm to anybody by the adoption of the clause.

MR. BRADLAUGH (Northampton) said, it was a little inconvenient to discuss a new clause with the matter in

concern essentially differing from the matter which was proposed to be submitted, especially at this last stage of the Bill—namely, Consideration on Report, when, if they made a blunder, it was impossible to remedy it. He was obliged to the hon. and learned Gentleman the Attorney General (Sir Richard Webster) for adopting the suggestion he made to him just now, and adding to the clause that the matter should be made part of the record, because, if that had not been adopted, it would have been impossible to take, in error or otherwise, the opinion of the Court as to whether the matter constituted a libel or not. The hon. and learned Member for Deptford (Mr. Darling) was quite mistaken in the case he most incorrectly quoted. Probably the hon. and learned Gentleman spoke from common report, instead of having read the case, which might account for the mistake he had made. He (Mr. Bradlaugh) had given attention to the words read out by the hon. and learned Attorney General, and he thought there was no objection to them; they would, in fact, make the law in England somewhat analogous to the law in America. But let him (Mr. Bradlaugh) point out to the hon. Gentleman the Mover of the clause (Mr. S. Smith) that he did not at all effect anything by his clause. He (Mr. Bradlaugh) had not the slightest objection that the passages complained of should be deposited in print, as if they were part of the indictment, and forming part of the record for all practical purposes. But if the hon. Gentleman imagined that any person could be tried for libel or for any other offence without specific evidence being given in Court, it was hard to understand what the hon. Gentleman's opinion of justice in any country was. If the hon. Gentleman imagined there could be any hugger-mugger way in which some persons might know what was complained of and others might not, he could only inform the hon. Gentleman that he was entirely mistaken. It was not possible, under the law as it stood, for anyone to reprint blasphemous or obscene matter, which might be contained in any counts of an indictment, and to excuse himself from criminal proceedings on the ground of it forming part of the matter for trial. That had been clearly laid down over and over again, and it was only a person utterly unacquainted with the law who could possibly suppose there was an opportunity of reprinting such matter with impunity. He felt some difficulty in having to weigh words which he had only just heard read, which were not the words on the Paper, but which essentially differed from the words in print. Although he thought the words suggested by the Attorney General were sufficient, he must enter his protest against a clause of this character being sprung upon the House on Consideration on Report.

MR. KELLY (Camberwell, N.) said, he desired to say a very few words in reference to this new clause. In the first place, he must join in the protest of the hon. Member (Mr. Bradlaugh) against having this matter brought before the House in this way. What was it they were now asked to do? They were asked to amend the Criminal Law. Was this the occasion on which they should be asked to do that? Surely they ought to be asked to do that when they were amending the Criminal Law generally. It was most unfortunate that this clause had been amended, and that the word "blasphemous" had been introduced. He was altogether averse to criminal proceedings being taken in cases of blasphemous libels, and trusted the word "blasphemous" would be rejected by the House.

MR. SPEAKER: Order, order! I have pointed out that the time for proposing Amendments would be when the clause had been read a second time.

MR. KELLY said, he understood that the clause had been altered, and that, therefore, he was justified in commenting upon the amended form. He could only say that while he admired the motives of the hon. Member (Mr. S. Smith) who proposed this new clause, he felt it was brought forward on a very inopportune occasion. Under such circumstances, it was absolutely impossible for him to vote in favour of it.

MR. COMMINS (Roscommon, S.) said, he entirely sympathized with the motive which suggested this clause; but, at the same time, he quite agreed with the objections that had been raised by the hon. Member for Northampton (Mr. Bradlaugh) and the hon. Gentleman the Member for North Camberwell (Mr. Kelly) as to the expediency of introducing a clause now, and as to the man-

ner in which it was introduced. It was a wide question as to whether the proceedings suggested by the clause should be adopted at all. The adoption of the clause certainly would result in the revolution of our whole Criminal Law. Probably one of the oldest principles of our Criminal Law was that any accused person, when brought to the bar for trial, was entitled to have the indictment read for him in a clear and distinct voice. The law laid great stress on the fact that the indictment should be read over to the accused slowly and in a clear and distinct voice. If the indictment was not to contain the libel charged against the accused, he would be entitled to have the passages which were referred to picked out of the book, newspaper, or document, and read out clearly and distinctly, so that the very object the hon. Gentleman (Mr. S. Smith) had in view would not only be defeated, but quite the opposite effect would be brought about. As to the copying, it was well known that the copying of indictments was not done by boys or lads. Most experienced law writers, generally men of considerable standing as law writers, and of considerable age, were the men who copied the indictments on parchment; such duty never fell to the lot of lads or boys, even if any were to be found in the office. If his hon. Friend were acquainted with the practice of Assize or Quarter Sessions, he must be aware that it was not in the indictment, or in the copying of the indictment, that the objectionable matter was ever brought to the notice of law writers, or of clerks in the solicitor's office at all. The hon. Gentleman forgot that the main business that was done in regard to criminal cases was the making out of briefs for the different counsel. All briefs set forth the evidence which was to be given, and it very frequently happened that the depositions were placed in the hands of very young men to copy. It did not matter whether they were copied very accurately or not; it did not matter whether the spelling was correct or not. Young clerks copied out the depositions for the brief for the prosecution and for the brief for the defence, and often fair copies were made for the use of the solicitors; in fact, the depositions were copied possibly half-a-dozen times, and copied not by experienced and old law writers, but by whatever lads might be about the office, so that this clause, if carried *in extenso*, or even with the Amendments suggested by the Attorney General, would not in the smallest degree effect the purpose for which it was proposed. There was still another point, that it might tend to the maladministration of justice; for in the impartial administration of justice there must be full and complete and entire publicity. It was well known that all attempts to try cases, however shocking they might be to modest persons of all ages, *in camerâ* had failed. The Courts refused, even where they had power, to try cases in the hugger-mugger manner suggested. A certain amount of mischief must be incurred from the necessary publicity of objectionable and corrupt details; but to lay hands on that publicity, even in the smallest degree, would be to endanger what was the very palladium of justice. They knew that where evidence of an objectionable character was to be given in Court, the Court had power to remove women and children from the building. They could do this in cases of libel just as well as in other criminal cases. This clause, he believed, would introduce an unnecessary and dangerous innovation, and, therefore, he could not give it his support.

MR. COURTNEY (Cornwall, Bodmin) said, he thought that something must be said on the point of Order. It appeared to him that the hon. Member for Flintshire (Mr. S. Smith) was sailing very near the wind in proposing this course. In the first place, it was at least doubtful whether the clause came within the scope of the Bill. The Bill was intended originally to relate exclusively to the privileges of defendants, who were concerned in the publication of newspapers, in respect to libels. Clause 7, no doubt, enlarged the scope of the Bill; but it referred to what might be put in evidence. There was nothing in the Bill which affected what might be called the public order of criminal proceedings. Therefore, it was at least doubtful whether this clause came within the scope of the Bill at all. If it did not come within the scope of the Bill, then, under a recent Standing Order, it could not be moved on Report, because it was an enlargement of the scope of the Bill. He had another objection to submit on the question of Order. No clause could be

suggested on Report which was not printed, and, as the hon. Gentleman the Member for Northampton (Mr. Bradlaugh) had pointed out, this was practically the last stage of the Bill, and therefore they ought to have fairly before them what was proposed. It was true there was a clause printed in the Papers, but it was very different to the clause which was about to be submitted for consideration. In that respect also his hon. Friend (Mr. S. Smith) was, if not absolutely under the censure of that Order, very near to it. Furthermore, as to the merits of the clause, he was extremely doubtful whether the advantage to be secured by preventing the passages complained of coming under the notice of an admittedly limited number of persons was at all commensurate with the danger involved on the other hand of not fairly placing before the Court everything which tended to elucidate the nature of the offence which was charged.

SIR RICHARD WEBSTER said, that on the question of Order he desired to point out that there were two clauses in the Bill, one, Clause 7, which dealt directly with criminal proceedings, and Clause 8, which actually altered the Law of Evidence by making the person charged competent to give evidence. It therefore seemed to him, as far as he could judge, it could scarcely be said that this clause was not in Order. Then, with regard to the other objections which had been raised, he ought to remind the House that the Amendment was simply in substitution of the words, "sufficient indications to show where the matter stating such alleged libel is to be found." The words which he had suggested simply provided a protection which was very necessary.

MR. SPEAKER said, that the points which had been raised by the Chairman of Ways and Means had occurred to him, and the reason why he permitted the clause to be proposed was that it seemed to him to deal with the matter that was incidental to a fair and accurate report of the proceedings. The words "fair and accurate report" occurred in the 3rd and 4th sections of the Bill. As to the other objection, that new matter had been introduced, he had pointed out to the House that he could not permit the hon. Gentleman (Mr. S. Smith) to amend the clause before submitting it to the House. The new clause had been deliberately put on the Paper, and he had pointed out that if it was the pleasure of the House to agree to the second reading, it would then be time to consider whether any such new matter as the hon. Gentleman had proposed could be introduced by way of amendment of the clause.

MR. FIRTH (Dundee) said, that unless his hon. Friend (Mr. S. Smith) was prepared to accept the Amendment of the Attorney General it would be quite impossible for anyone to support the clause; and, even as amended, he thought the amount of good which would be obtained by the clause would be extremely small. They all sympathized with the hon. Gentleman in the object he had in view, but it was perfectly true that these things were copied by men who had long experience, and, therefore, the amount of good done would be extremely small. The later part of the clause could not possibly be accepted if the words "it shall be deemed to be sufficient evidence" meant that the passages should not be read over publicly at the trial. It would be perfectly impossible to obtain the consent of any body of men accustomed to practise in English Courts to the adoption of any such plan. It was an unfortunate necessity that all proceedings in Courts of Justice should be made completely public. If his hon. Friend supposed it would be possible to alter the Law of Evidence in the way he suggested he was surely very mistaken.

MR. S. SMITH said, that, in order to save the time of the House, he might say at once he was prepared to accept the proposal of the Attorney General.

MR. RADCLIFFE COOKE (Newington, W.) said, he thought that the course of the discussion had shown that much more important principles were involved in this clause than there seemed to be at first sight. It appeared quite clear that the only persons who would be benefited were the persons who now copied out indictments. An indictment was engrossed on parchment, and boys did not engross on parchment. In some few cases there might be boys employed; but the course of the proceedings in Court would be wholly unaltered. The objectionable passages would have to be read out as now, and as much copying of objectionable evidence would have to take place in future

as in the past in copying documents required for the due conduct of the case. It was extremely undesirable that at the close of the proceedings on a Bill relating to another subject, such a doubtful change as they now proposed should be effected. Since they had it on the authority of the hon. and learned Attorney General that in all probability indictments would be done away with entirely by an amendment of the Criminal Law, which this Government probably would project, it could only be for a short time that this Amendment, if included in the Bill, could effect any good to the limited class of persons who would be affected by it. It seemed clear that this amendment, if desired, should be an amendment of the Criminal Law generally. Would it not be better, therefore, for the hon. Gentleman (Mr. S. Smith) to wait for the amendment of the Criminal Law, which probably would be introduced early next Session?

MR. SWETENHAM (Carnarvon, &c.) said, he sympathized to the very utmost extent with the object the hon. Member for Flintshire (Mr. S. Smith) had in bringing forward this clause. He also sympathized with what the hon. and learned Attorney General said with regard to what came frequently before the Law Officers of the Crown. There was no one in the House who would take a greater part than he (Mr. Swetenham) in trying to put a stop to that which the hon. Member for Flintshire so strongly deprecated. But he could not help suggesting to the hon. Gentleman the propriety of withdrawing this clause, for the reasons mentioned just now by the hon. Gentleman the Member for West Newington (Mr. Radcliffe Cooke). He (Mr. Swetenham) had had considerable experience in the conduct of legal proceedings, and he thought the hon. Gentleman (Mr. S. Smith) had been misinformed with regard to the manner in which indictments generally were drawn. Indictments for libel were drawn up by the clerk of the indictment, who, as a rule, was not a person who employed in his office a large number of clerks. Having drawn up the indictment upon a sheet of paper, the clerk of the indictments handed it to some responsible clerk in his office, to put on parchment. As a rule, the work was not done by boys, and therefore the injury to the morals of boys was really imaginary. So much for what was done in the office of the clerk of the indictments. Let him point out what would be the effect of the Amendment now proposed. He ventured to say he should be able to convince the hon. Member himself that the remedy would be worse than the disease. Instead of the objectionable passages complained of being engrossed upon parchment, what was to be done? Those passages were only to be referred to in the indictment. Now, everyone knew quite well that when there was a little secrecy about anything there was generally curiosity as well. Suppose the book containing the passages were to get into the hands of the people the hon. Gentleman (Mr. S. Smith) desired to keep it from. They would naturally say, "This is a book containing very objectionable matter," and the first thing curiosity would lead them to do would be to study the book from beginning to end. In such a case, the very laudable object the hon. Gentleman had in view would be entirely defeated. It had been said, with perfect truth, that often boys were employed to copy the evidence into the briefs used by counsel. The evidence copied into briefs was, he granted, often of a very objectionable nature; but this Amendment did not relate to briefs at all. Under all the circumstances of the case, he hoped the hon. Gentleman would not press the clause to a Division. As he had said, he heartily sympathized with the desire of the hon. Gentleman to put a stop to the publication of the obscenity which they all deplored. After all, he could not consider that this was a proper time at which to introduce the clause.

MR. OSBORNE MORGAN (Denbighshire, E.) said, he hoped his hon. Friend would bow to the almost unanimous sense of the House, and would withdraw the clause. He had every disposition to appreciate the motive with which his hon. Friend had introduced the clause; but he would feel bound to vote against the clause. At best, the clause would only affect a very limited class of persons, while, on the other hand, it would really alter the whole course of Criminal Law. By the Criminal Law, as it now stood, a defendant or prisoner was en-

titled to expect that the indictment would tell him exactly what he was charged with. Under the clause as proposed to be amended, they would take away from the accused that protection, and he might be referred to a book which might contain, perhaps, 500, or 600, or 1,000 pages. The Amendment of the hon. and learned Attorney General certainly did improve matters a little; but he confessed that, as the amended clause did not appear in print, it was very difficult for them to understand its bearing. Upon that ground, and also upon the ground that the clause really interfered with the whole of the Criminal Law of the land, he hoped his hon. Friend would withdraw it.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, the right hon. Gentleman (Mr. Osborne Morgan) had stated that the adoption of this clause would interfere with the Criminal Law of the whole land. The right hon. Gentleman was entirely mistaken. It was well the House should know how the matter stood in Scotland. In Scotland, if an indictment were to be brought against any person for obscene or blasphemous language used in writing, it was not necessary in the indictment to insert the blasphemous or obscene passages. To print the libel would be practically to increase the evil which it was the object of the indictment to prevent, and therefore it had been distinctly held that it was perfectly sufficient to refer in the indictment to the passages in the book or pamphlet which were said to be obscene by pages and lines, and to intimate in the indictment that the book would be found in the hands of the Clerk of Justiciary, in order that those who were entitled to see the passages might have an opportunity of referring to them. In the cases which had occurred all the scandal of these matters being published in the body of the indictment had been prevented. There had been no difficulty whatever in carrying out the law; the system worked smoothly and well.

SIR WILLIAM PLOWDEN (Wolverhampton, W.) said, he hoped his hon. Friend (Mr. S. Smith) would go to a Division, especially after what had fallen from the right hon. and learned Lord Advocate. It was quite clear that, in another part of the country, the practice which the hon. Member wished to introduce here worked satisfactorily, and without evil results. He had observed with some curiosity that all the hon. Gentlemen who spoke on and objected to the proposal now under discussion were members of the Learned Profession. [*Cries of* "No, no!"] Well, most of them were. But a remarkable fact, in face of the opposition of hon. and learned Gentlemen, was that the head of the Legal Profession in the House of Commons supported the hon. Gentleman in the proposal he now made. As a matter of fact, the hon. and learned Gentleman the Attorney General was convinced of the great advantage which would accrue from the adoption of the clause. Moreover, however that might be, they learned that in Scotland the alteration which was proposed here was already in force, and working satisfactorily. He thought that ought to be a sufficient reason in itself for the adoption of the clause.

SIR ROBERT FOWLER (London) said, that the hon. Member (Mr. S. Smith) had been asked to withdraw the clause, because it was said that in some future Session a large Bill amending the Criminal Law generally would be introduced. He did not think it was very probable that such a Bill would be introduced next Session. They had been told that successive Governments had considered the question, and had drafted Bills relating to it. In his opinion, it was not at all a sufficient reason for asking his hon. Friend (Mr. S. Smith) to withdraw his clause, because the subject might be dealt with in a Bill which might be brought in next Session. Personally, he did not think it likely that such a Bill would be introduced next Session; certainly, it was not at all likely that such a Bill would be passed next Session. The object his hon. Friend had in view was a most laudable one, and he (Sir Robert Fowler) could not but think that although many of the legal Members of the House, notably the hon. and learned Member for South Roscommon (Mr. Commins), and the hon. and learned Member for Deptford (Mr. Darling), differed from him, the House was greatly indebted to the hon. Member for having introduced the subject. Certainly, if the

hon. Gentleman went to a Division, he (Sir Robert Fowler) should vote with him.

MR. LABOUCHERE (Northampton) said, that the hon. Gentleman the Member for West Wolverhampton (Sir William Plowden) stated that only learned Members were opposed to this clause. That was not so; Members who did not belong to the Legal Profession were equally opposed to it. He was very much surprised to hear the hon. and learned Attorney General giving his assent to the clause under consideration, because he thought the hon. and learned Gentleman was a man of practical mind. [SIR RICHARD WEBSTER: I suggested alterations.] Yes; he (Mr. Labouchere) would deal with those alterations. The Attorney General proposed that they should insert the word "blasphemous." He assured the hon. and learned Gentleman that if the clause was read a second time, and if the Amendment the Attorney General had suggested was persevered with, there would be a very strong opposition on the part of many Members on the Opposition side of the House. This clause was proposed on the Report of the Bill. The word "blasphemous" did not appear in the clause as it was originally put upon the Paper, but they were told that they ought to pass the clause, in order that the word "blasphemous" might be inserted. They all knew perfectly well that the law took——

SIR RICHARD WEBSTER said, that he did not say anything of the kind. He spoke of the necessary alterations, in order that the evidence might not be altered, and that the particulars might be made part of the record. He only referred to the word "blasphemous" quite incidentally.

MR. LABOUCHERE said, that if the clause were passed without the word "blasphemous" in it, the hon. and learned Gentleman who represented the Government upon this occasion would be in favour of the word "blasphemous" being inserted if it were moved. Therefore, hon. Members must look at the proposal as though the word "blasphemous" formed part of the clause. Now, everybody knew that in the present state of the law the Courts took a very wide view of what was blasphemous matter. It might be desirable to raise on some other occasion the whole question of the Blasphemy Laws; but until they had thoroughly gone into those laws, and until they had more clearly and specifically defined what was blasphemy, he objected to the word being dragged into a Newspaper Libel Bill. It was proposed that the Judge, and all the jurymen and counsel, should have copies of the book in which the obscene matter existed. Now, there might be cases in which they would not be able to get such a large number of copies of the book. But assuming that in the indictment, which was a thing which he confessed, whether it was right or not, did not trouble much the minds of those who were not lawyers—assuming that in the indictments the particular passages were referred to by pages and lines in the book, surely the counsel who had to speak upon the matter would be obliged to refer to the entire passages, and to state the entire passages. There would be a discussion whether the passages were obscene or not obscene, and the whole matter would have to come publicly before the audience. If anyone were to propose that in these trials there should be some rule to prevent the passages complained of being published without the consent of the Court, that would be a different question. But he contended that this clause did not in any way prevent publicity being given to the obscene matter. The sole reason that could be alleged in favour of the clause was that one or two or more persons, who were copying out a portion of the matter for the lawyers, would be prevented from reading it themselves. He did not think it was necessary to make a change in respect to such a very minor point. Anyhow, a respectable lawyer, when he had one of these cases to deal with, would surely insist that whatever copying had to be done should not be done by boys, but by grown-up men. That certainly would do everything which was desired.

SIR ALGERNON BORTHWICK (Kensington, S.) asked the hon. Gentleman (Mr. S. Smith) to conclude the discussion by withdrawing the clause. The hon. Gentleman had their sympathy, but it was questionable whether they could give him their votes. The words of the clause, "books and documents," showed very clearly that the clause affected the general law of the land, and not newspapers.

MR. J. H. A. MACDONALD said, that perhaps the Committee would allow him to state exactly how the matter was dealt with in Scotland.

MR. SPEAKER: The right hon. and learned Gentleman has already spoken.

MR. J. H. A. MACDONALD: I asked to speak with the leave of the House.

MR. SPEAKER: Does the hon. Gentleman (Mr. S. Smith) withdraw the clause?

MR. S. SMITH: No; I persevere with it.

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth) said, that if the hon. Gentleman persisted in carrying the clause to a Division, he (Sir Edward Clarke) would feel bound to vote with him. He thought the clause, with the alterations suggested by the hon. and learned Attorney General, would be a valuable clause. He did not desire to exaggerate the value of it in the direction in which it was primarily intended—that was to say, he did not think very much would be saved with regard to the corruption of the minds of persons who copied the indictments. But, as one who hoped to have some time or other the opportunity of dealing with that which was one of the greatest defects in the Criminal Law—the monstrous length and complexity of indictments—he should be glad to see the clause adopted, and a remedy thus applied in one particular at least. If the clause were amended in the way the Attorney General had suggested, there could be no possible advantage to anybody in any particular passage of a libel being copied in the indictment. Supposing the indecent passages in a book were copied in the indictment, when they came to deal with the book everybody who had to deal with it must have a copy of the book itself, because other passages could be referred to to show the purpose and character of the particular passage relied upon by the prosecution. He did not exaggerate the value of this clause for the purpose of preventing the corruption of the minds of those who had to deal with these matters; but he certainly felt bound to support the clause as a step in the direction of a very desirable amendment of the law.

Question put.

The House *divided*:—Ayes 145; Noes 99: Majority 46.—(Div. List, No. 168.)

SIR RICHARD WEBSTER suggested to the hon. Member for Flintshire (Mr. S. Smith) that he should confine the operation of the clause to obscene passages, omitting any reference to blasphemy. Any reference to blasphemy in the clause might occasion a long debate. The question, no doubt, was a difficult one to deal with, and, therefore, it might be well if the hon. Gentleman would content himself with confining the clause to obscene libels.

MR. S. SMITH said, he was quite ready to adopt the suggestion of the hon. and learned Gentleman.

Amendment proposed,

To leave out all the words after "proceeding," in line 5, and insert the words "together with particulars showing precisely by reference to pages and lines in what part of the book, newspaper, or other document the alleged libel is to be found, and such particulars shall be deemed to form part of the record, and all proceedings may be taken thereon as though the passages complained of had been set out in the indictment or other judicial proceeding."—(*Mr. Attorney General.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Clause."

MR. LABOUCHERE said, he gathered that the pages and lines were to be stated. How would that be in the case of newspapers in which there were columns?

SIR RICHARD WEBSTER said, he thought that the words "precisely by reference to pages and lines" would throw on the prosecution the necessity of indicating the column as well as the page in the case of a newspaper.

MR. LABOUCHERE said, he thought the hon. and learned Gentleman ought to put in the word "column." Did the hon. and learned Gentleman agree to that?

SIR RICHARD WEBSTER: Yes.

MR. SPEAKER: The Amendment will, therefore, read—

"Together with particulars stating precisely by reference to pages, columns, and lines in what part of the book, newspaper, or other document the alleged libel is to be found;"

and so on.

MR. LABOUCHERE asked the hon. and learned Gentleman to be good enough to tell them what would happen if there was not a sufficiency of books. Would the book have to be republished? If so, a great many more persons would

see the objectionable passages than otherwise would be the case. There was another point worthy of consideration. The various editions of the book might differ. Supposing the words differed in the different copies of the book, what would happen then? Would they take the copy of the book which was put in? An ill-minded man, if he was prosecuted, might secretly print off two or three different versions. The whole proposal was one of the most absurd and ridiculous ever made; and, whether this Amendment were pressed or not, he hoped that before they allowed themselves to write themselves down so foolish as to accept the clause they would take another Division.

SIR RICHARD WEBSTER said, the objection raised by the hon. Gentleman only existed in his own imagination. The book would be deposited, and if they could not get extra copies of it, as many copies of the passages as were required would have to be made.

MR. LAWSON (St. Pancras, W.) said, he did not believe half the hon. Gentlemen who voted in favour of the clause had the least conception of what it really meant. They imagined they were giving a general vote in favour of social purity, and they thought that that would be a more or less popular thing to do. He assured the hon. Member for Flintshire (Mr. S. Smith) that they were all with him in the efforts he made in this direction; but this clause stood outside the Bill, and that was why the hon. Member for South Kensington (Sir Algernon Borthwick) and himself "told" against the hon. Gentleman in the last Division. When the Bill was in Committee, the hon. Gentleman the Member for Stockport (Mr. Gedge) proposed a new clause with reference to books and periodicals, and the hon. and learned Attorney General then got up and said that, whatever the merits of the clause might be, it had nothing to do with the Bill, which dealt with newspapers. But now the House was deliberately inserting a clause which was outside the general scope of the Bill. The present proceeding seemed to him thoroughly illogical and unreasonable.

SIR EDWARD CLARKE said, he did not know what hon. Members might have had in their minds when they voted for the clause; but he personally had a very definite intention in his mind when he voted for it. He hoped the House would stand by its decision, which simply made our law correspond with that which was in existence elsewhere, and which worked exceedingly well. This clause did not apply only to newspapers, it was true. It applied to something else as well. If it was useful in the case of newspapers, he did not see why it should not be applied to things which belonged to the same category. He hoped, as a lawyer, that this clause would be accepted by the House. He believed that it would be really useful. No serious objection had been raised to it by the hon. Member for Northampton (Mr. Labouchere). The hon. Gentleman had suggested that different editions might be printed, one containing the objectionable passages, and the other not. It must be proved on the indictment that the man had published a book which contained obscene passages, and a copy of the book being used for the purpose of that indictment, the person charged would have the fullest information as to what was the exact offence with which he was charged. He (Sir Edward Clarke) was anxious to amend the proceedings of the Criminal Law whenever he could and as far as he could, and if he found an opportunity, such as this, for amendment, in a matter which was one of the most manifest absurdities of our procedure, he was anxious not to lose the opportunity.

MR. COURTNEY said, he thought it would be more convenient that the Amendment should be disposed of before a general debate was originated.

MR. DARLING said, that if they were to make any Amendment of this kind, he wished it were left to the right hon. and learned Lord Advocate; because then they would have the advantage of having our law made to resemble the very excellent law of Scotland. But at present it was provided that particulars were to be annexed to the indictments. Those particulars were afterwards to be part of the record. Now, it was to the record alone that the defendant must look if he wished to bring error; it was to the record alone the defendant must look if he brought error or alleged that he had formerly been acquitted or convicted. Now, there was no kind of provision being

made for the book being made part of the record or for its being deposited or being kept anywhere. If, after a lapse of 20 years, a man who had been prosecuted was again prosecuted for the same libel, all he would be able to get would be a copy of a skeleton indictment and particulars. There would be nothing to show what the words were for the use of which he had been formerly convicted or acquitted, as the case might be. An hon. Gentleman opposite had said that hon. Gentlemen, in voting for the clause, no doubt thought they were voting in the interest of social purity. They thought nothing of the kind; they thought they were voting for the hon. and learned Attorney General. He (Mr. Darling) could not help thinking that if the House agreed to the clause, it would be the very worst day's work that had ever been done for people who might be charged with libel.

MR. COMMINS said, he agreed with the last speaker as to the injustice which would be done by the clause to persons accused of libel. Moreover, the result of the adoption of the clause would be that newspapers which were now practically precluded from publishing indecent details would state the precise pages and lines in the book where the indecency was to be found. The public, therefore, would be able to find the indecent passages complained of without the slightest trouble.

MR. J. H. A. MACDONALD said, the hon. and learned Gentleman (Mr. Commins) had given them an argument for printing openly in the indictment the obscene passages complained of. The hon. and learned Gentleman seemed to forget that people must get a copy of the book to refer to it when the pages in which the objectionable matter appeared were given in newspapers. If they had not got a copy of the publication, they were not likely to get one when an action for libel was proceeding.

Question put, and *negatived.*

Question, "That the words proposed be there inserted," put, and *agreed to.*

Question proposed, "That the Clause, as amended, be added to the Bill."

MR. BRADLAUGH said, he rose for the purpose of pointing out that unless the point taken by the hon. and learned Gentleman the Member for Deptford (Mr. Darling) were recognized by the Government they would be in the ridiculous position that the defendant in error, or on appeal, or on a motion to quash, on the ground that there was no libel whatever—whatever the words might be—would have nothing whatever to submit to the Court. ["No, no!"] Clearly that was so in error. The Amendment, as now carried, did not say that the book or the words should be part of the record. It only said that the mere particulars annexed to the indictment should be part of the record, and just as they could not go outside the record now, so they would not be able to go outside the record under this Amendment. As the hon. and learned Gentleman the Attorney General knew, the cases instancing this were overwhelming as showing that where there had been an attempt in error, or on appeal to raise any question, aye or no, as to whether the matter given in evidence against a defendant constituted a libel or not, the defendant had been unable to refer to anything with regard to it except the record. He could not refer to the evidence given at the trial, and could not produce printed evidence —the Court would recognize nothing but the words of the record, and unless the Court held that the words referred to in the particulars formed part of the record, they had reduced the Law of Libel in this country to a piece of nonsense.

SIR EDWARD CLARKE said, he thought the hon. Gentleman was under a misapprehension in this matter. The clause, as it now stood, provided that the book or newspaper or other document containing the alleged libel should be deposited with the indictment, and then the question was as to what part of the book or newspaper or document was alleged to be obscene. The indictment was part of the record. The book deposited with it was referred to in the indictment, and in the particulars. If afterwards the application had to be considered, and the record looked at, the book and particulars together would constitute the matter.

MR. BRADLAUGH: It has already been decided that the book referred to in the indictment cannot be read.

SIR EDWARD CLARKE: Oh, no!

MR. BRADLAUGH: Indeed, that is so.

MR. FIRTH (Dundee) said, he had looked at the Amendment with the view of seeing exactly how this was, and he thought that in this matter it would not carry out what was suggested. The Amendment said that in the particulars should be given the exact place in the book where the words of the libel were to be found, but as there was nothing in the Amendment that made the book itself part of the record it could not be used in evidence.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, they must credit the Courts in this matter with some common sense. If the Act of Parliament said that the book should not be necessary, but that the record should give a particular passage, he thought it might be assumed that the Court would see the page referred to. He could not help thinking that the hon. Gentleman the Member for Northampton (Mr. Bradlaugh) was more legal than the lawyers, and raised this point somewhat unnecessarily.

MR. COMMINS said, that it was upon the technicalities of the law that they were to depend for the protection of innocence, and it was also upon a very scrupulous adherence to the Law of Evidence that they had to depend if they wished to prevent injustice being done. He concurred with every word that the hon. Member for Northampton (Mr. Bradlaugh) had said. But, besides the objection of the hon. Gentleman, there seemed to him to be a greater flaw in the Amendment as it now stood. What did it say? Why, that they were to get rid of the production of the libel in the indictment, and the objection then arose that there would be nothing in the record. The record defined what was the offence of which the accused was guilty, and that record had to be made up by the Clerk of the Crown or the Clerk of the Peace, and remain in the archives of the Clerk of the Peace. Now the book itself, or series of books, were filed, and the objectionable passages transcribed in the record, or they were otherwise thoroughly indicated, no doubt, together with the preservation of the book itself. Under the clause as it stood, the record would be incomplete, and an accused person might be convicted 50 times over on the same indictment, and, even if convicted in one case, he could be tried over again and convicted for the same offence in another.

MR. DARLING said, he would ask the hon. and learned Gentleman the Solicitor General (Sir Edward Clarke) whether it was not possible—because there would be the gravest doubt on this point even if the hon. Member were right in his opinion—at this stage of the Amendment to provide that the particular passages referred to in the indictment should be part of the record. If that were done there would be no difficulty in the matter; but he would venture to think that those hon. Members were right who urged that to make the particulars part of the record was not to make the charges referred to in the indictment part of the record. At any rate, if they made both part of the record it would be an advantage.

MR. HUNTER (Aberdeen, N.) said, that he joined with his hon. and learned Friends who had spoken on this subject in appealing to the Government not to press this clause at the present moment. There would be an opportunity in the other House to insert those Amendments and those clauses which were considered necessary, but which there was no time now to consider fully. There seemed to be a difference of opinion between some hon. and learned Gentlemen and the hon. and learned Solicitor General, and he (Mr. Hunter) would not undertake to say who was right. He would undertake to say, however, that the law on the subject was extremely difficult. The hon. Gentleman the junior Member for Northampton (Mr. Bradlaugh) no doubt had derived great advantage from his superior technical knowledge on this question, because he had on one occasion saved himself from a very severe punishment by being able to pick a hole in an indictment where all the lawyers engaged thought the indictment perfectly sound. It was an extremely technical subject, and he (Mr. Hunter) saw no provision in this clause as now proposed to secure that the book, which was made part of the indictment, should be forthcoming with the indictment at any future time that it might be wanted. Moreover, it seemed to him that there could be nothing more derogatory to the dignity of Parliament, and more injurious to the legislation of the country, than, in a Bill which dealt only with the protection of newspapers in ordinary actions for libel, to introduce an amendment of the criminal procedure of the

country in relation to libels which had nothing whatsoever to do with newspapers. He strongly objected to this "five minutes to 12" system of legislation.

Question put.

The House *divided*:—Ayes 145; Noes 108: Majority 37.—(Div. List, No. 169.)

MR. LAWSON said, he now begged to move the Amendment standing in his name, namely—

In page 1, line 26, after "deliberative purposes," to insert "and the publication of any notice or report issued for the information of the public at the request of any Government office or department, officer of State, commissioner of police, or chief constable."

In moving the insertion of those words he should not trouble the House with any arguments, as he had been able to state his views on the matter on the last occasion when they had been in Committee. He had reason to believe that the hon. and learned Gentleman the Attorney General had no objection to the insertion of the words.

Amendment proposed,

In page 1, line 26, after the words "deliberative purposes," to insert the words, "and the publication of any notice or report issued for the information of the public at the request of any Government office or department, officer of State, commissioner of police, or chief constable."—(*Mr. Lawson.*)

Question proposed, "That those words be there inserted."

SIR RICHARD WEBSTER said, he had no objection to the Amendment; but he would point out the desirability of altering its form. It would be better that it should read—

"And the publication at the request of any Government office or department, officer of State, commissioner of police, or chief constable, of any notice or report issued for the information of the public."

MR. LAWSON said, he would accept the suggestion of the hon. and learned Gentleman.

Amendment, as amended, *agreed to.*

MR. LAWSON said, he begged to move the next Amendment on behalf of the hon. Member for South Islington (Sir Albert Rollit), in page 2, lines 14 and 15, to leave out the words, "interest and the publication of which is not for the public benefit," and insert the word "importance." He should like to say that the Committee which had been considering this Bill, and which was responsible for its draftsmanship, was anxious that this change should be made; but, as the matter had been fully argued in Committee, he would not trouble the House with any observations on it.

Amendment proposed,

In page 2, lines 14 and 15, to leave out the words "interest and the publication of which is not for the public benefit," and insert the word "importance."—(*Mr. Lawson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR RICHARD WEBSTER said, at the time they were discussing this clause in Committee, speaking for himself only, he had pointed out to the promoters of the Bill that he was prepared to assent to certain parts of the section, and it was on that distinct understanding that the words it was now proposed to leave out were inserted. It would, therefore, be wrong on his part to assent to the Amendment.

Amendment, by leave, *withdrawn.*

MR. BERNARD COLERIDGE (Sheffield, Attercliffe) said, he desired now to move an Amendment which was not upon the Paper, and he moved it in this way, because the subject had only just been brought to his attention. The Amendment was to provide that when the question at issue was whether or not the libel published was a matter of public benefit, it should be a question for the jury to decide. It might be said that it was altogether a matter for the jury under Lord Campbell's Act; but when under that Act the defence set up was that the statement was true in fact, and that its publication was for the public benefit, the question arose whether it was for the Judge or the jury to decide whether it was for the public benefit. Only in May last a learned Judge—for whom, he was sure, the hon. and learned Attorney General would have every respect—namely, Mr. Baron Huddleston—in a case heard by him, had decided that, in his view, it was for him to say whether or not the publication was for the public benefit, and not for the jury. Whether or not that was a right interpretation of the law was not for him (Mr. Coleridge) to say; but, at any rate, a doubt seemed to have arisen as to whether it was a question for the Judge or the jury, and that doubt it was

the object of the Amendment to set at rest. It was true that in the case decided by Baron Huddleston the decision was in favour of the defendant. The learned Judge had wished to direct the jury to return a verdict of not guilty, because the defendant in the case had proved the truth of the libel. Having proved the truth of the libel, the question arose as to whether the libel was published for the public benefit, and that was the point which the learned Judge held it was for him to decide and not for the jury, and thereupon he had directed a verdict for the defendant. But supposing that it had been the other way, and that the Judge had taken it into his head that a certain libel was not published for the public benefit, then —although the jury would have power to return a verdict of not guilty—they would feel themselves very much bound by the remarks of the Judge on the question of law, and they would hardly feel it within their discretion to find a verdict of guilty or not guilty, being under the direction of the Judge, who might tell them that it was for him to say whether or not the libel was for the public benefit. The worst that could be said of the Amendment was that it was purely declaratory. If it did in any way solve the difficulty, it did so in the direction favoured by the general opinion of the Legal Profession. He trusted the hon. and learned Gentleman the Attorney General would not think that he had brought this Amendment forward without cause. If the hon. and learned Gentleman declared that, in his view, there was no need for it, he (Mr. Coleridge) should be happy to withdraw it.

Amendment proposed,

At the end of Clause 4, to insert the words "Provided also, that in any proceeding for libel in which it shall be the question in issue whether the publication of the matter complained of was for the public benefit, such issue shall be a question of fact for the determination of the jury."—(*Mr. Bernard Coleridge.*)

Question proposed, "That those words be there inserted."

SIR RICHARD WEBSTER said, that the hon. and learned Gentleman the Member for Attercliffe (Mr. Bernard Coleridge) was expecting a good deal when he asked one to express an opinion on an Amendment which he had never read. Personally, he (Sir Richard Webster) never should have thought that there was the slightest doubt as to a question of this kind being left for the jury, and he could not take upon himself the responsibility off-hand of dividing the House against the Amendment, if the hon. and learned Member told him that there was some doubt in the matter.

MR. LAWSON said, he would suggest that the hon. and learned Gentleman the Attorney General should accept the Amendment provisionally, as it could hereafter be dealt with in the House of Lords. The words could be there struck out if found to be unnecessary.

SIR CHARLES LEWIS (Antrim, N.) said, he hoped they would not adopt this haphazard method of legislation, and thought that the House had to complain of the manner in which this Amendment was sprung upon them. If this sort of thing were to go on, it might be necessary to take some step to defend the liberty of the House against the possibility of grievous mistakes being made in legislation. It seemed to him that such Amendments as this ought not to be brought on at such a stage of the Bill, and they ought not to allow themselves to be inveigled into any of these declarations of the law sprung upon them in such a way that even the hon. and learned Attorney General seemed bewildered for the moment as to why he was to be drawn into the net. They were asked to stick in this Amendment like sticking a pin into a cushion, and they were told that whether or not it was necessary should not now be decided, but should be settled in the House of Lords. Hon. Members opposite seemed to forget their anxiety to do away with the House of Lords. If they were successful in their attempts to abolish that Chamber, who would do such work as was now proposed? Would it be the Clerk at the Table who would get rid of these difficulties for them? It was astonishing to see the remarkable cheerfulness in which hon. Members came forward to upset the general system of dealing with these matters. M. Olivier's cheerfulness in going to war was nothing to it.

MR. LABOUCHERE said, the hon. Baronet (Sir Charles Lewis) was mistaken. The hon. and learned Gentleman the Member for Attercliffe (Mr. Coleridge) did not wish to change the law in the slightest degree. He merely

said that he was of the same opinion as the hon. and learned Attorney General, but that Mr. Baron Huddleston had given a decision adverse to that opinion, and that there was some difference of opinion on this point amongst the Judges and the members of the Legal Profession. All the hon. and learned Gentleman wished to do, under the circumstances, was to make a declaratory statement in the Bill as to what the law was, that declaratory statement being not only what he himself believed the law to be, but also what the hon. and learned Attorney General believed it to be. The Amendment could do no harm, and might do some good; and, therefore, he (Mr. Labouchere) hoped the House would accept it.

MR. COURTNEY said, as he understood it, the hon. and learned Member for Attercliffe (Mr. Coleridge) wished to make a declaratory statement generally to the effect that it was for a jury to decide the issue in question. He doubted, however, whether the hon. and learned Gentleman proposed to put the Amendment in at the proper place, as it was an addition to a special clause dealing with a subject which was hardly germane to the Amendment.

MR. ANDERSON said, he hoped the hon. and learned Gentleman would not press the Amendment, because it had come upon the House by surprise, as, no doubt, had the decision of Mr. Baron Huddleston, for which the hon. and learned Gentleman vouched. He must say he thought Mr. Baron Huddleston, if these facts were put before him, would be found to say that he had never meant anything of the kind. The statement had not, he believed, appeared in any authorized reports, but in one of those newspaper reports which were wholly unreliable. He would suggest that the Amendment should be withdrawn.

Amendment, by leave, *withdrawn*.

MR. ANDERSON (Elgin and Nairn) said, he begged to move the omission of the 5th clause. That clause had been dealt with in a manner which he was sure had been very hasty and ill-considered. It made a most important alteration in the law, and he was sure that last Wednesday, when the Committee determined to pass this section, the change which would be made in the law by the section was not appreciated. It proposed no less than to repeal an important provision in Lord Campbell's Act, which was that where an apology was pleaded by a newspaper a payment of some money into Court should also be made. Now, he (Mr. Anderson) desired to call attention to this, which had already been referred to—namely, that Lord Campbell's Act was passed after great consideration. A Committee of the House of Lords was appointed to consider the Law of Libel; various persons were examined by it, and a very carefully prepared Report was made on the subject dealing with the whole question, and he (Mr. Anderson) confessed that the debates on the present measure showed that that course ought to have been adopted in regard to this Bill, because many provisions were pitchforked into it, first by one Member and then by another, without being properly considered—provisions which he thought ought first to have been submitted to the consideration of some Committee. This present point was referred to very fully by Lord Campbell as having been most carefully considered by the Committee of the House of Lords, and he said it was suggested that an apology only should be a defence. That was the statement in the Bill; but he went on to point out that the Committee, having carefully considered it, thought it very dangerous that an apology only should be sufficient. The noble Lord had placed great reliance upon not making a simple apology a defence to an action. Now, he (Mr. Anderson) did not think the House ought to upset a decision of that kind, taken with great deliberation, without having some really clear reason before them to show that that course should be adopted. For what was the result of the clause as it stood at present? It would amount to this—that a newspaper would be induced by the action of the Committee to defend an action by simply making an apology and not paying any money. That was the present state of affairs. The position taken up was this—that a newspaper might libel a man by some report or other, and might then make what a jury might find an ample apology, and the plaintiff would have to be satisfied with that. But who ever heard of such a doctrine being laid down? For, surely, if a man was libelled an apology would not always

be a sufficient recompense. It seemed a very meagre kind of way to meet the case, when they had libelled a man, to say—"I am very sorry, and most humbly apologize." Surely that was not just; and he thought they ought to insist upon the payment required by Lord Campbell's Act, and to provide that, in cases where an apology was sufficient, payment into Court of £10, £50, or £100, as the case might be, should be required. If the jury thought the sum paid into Court was sufficient with the apology, that was an admirable defence, and if they did not think it sufficient they could make it more; but it would take away altogether the cause of action for damages. This clause as it stood was, to his mind, a monstrous violation of the law, and was simply inserted at the suggestion of newspaper proprietors themselves, without any Committee having considered the matter, and without witnesses having been called to give evidence and to say whether the present law had worked unfairly or not. These newspaper proprietors had caused this to be done, he did not like to say in their own interests, but, of course, that was the case. He did not think they ought to accept the clause; and believing it to have been passed hastily, and under circumstances to the effects of which the attention of the Committee was not fully called, he proposed to take the sense of the House upon its continuing to be part of the Bill, and he believed he should be supported in this by the hon. and learned Attorney General. ["No, no!"] At any rate, he thought he should—he hoped so, at any rate. He trusted the House would come to a conclusion that this was a clause which never ought to have been inserted in the Bill.

Amendment proposed, to leave out Clause 5.—(*Mr. Anderson.*)

Question proposed,

"That the words 'In an action for a libel contained in any newspaper it shall be lawful for the defendant to raise by his defence a plea under the second section of the Act of the session of the sixth and seventh years of the reign of Her present Majesty, chapter ninety-six, intituled "An Act to amend the law respecting defamatory words and libel," without making any payment into court, and where such a plea has been raised (either with or without payment into court),' stand part of the Bill."

MR. KELLY (Camberwell, N.) said, that under the clause, however injurious a libel might be, if only a newspaper published an apology and showed that it had not been actuated by malice, and had been guilty of no negligence, the unfortunate libelled person would have no remedy whatever. The very grossest libels were just those in which it was most difficult to prove special malice. The libel might be only the substitution of the name of a clergyman for a synonymous name, upon the trial on a grave criminal charge which might have the effect of ruining for ever the clergyman's character. What remedy would such a libelled person have under this clause? Absolutely none, because the newspaper proprietor would show that he had acted without malice or negligence, and that he had published an apology, and it would be held that that apology was sufficient. That assumed that the apology would be received by the same persons who had read the libel; but it must be within the knowledge of hon. Members of that House that there were a certain class of papers which people read very occasionally. For instance, a man who took up a copy of *Truth* on starting on a railway journey might not be likely to see that paper again for a considerable time, and, reading a gross libel in the copy he procured, he might never see any apology which might subsequently be published regarding that libel. He might never dream of buying the next issue. That would be a very common case. He (Mr. Kelly) asked whether it was to be possible, in such a case as this, for the newspaper proprietor to say that he had made the necessary amends by publishing the apology in the following week—to go into Court and say that he had made a little mistake, and that, though the libelled person came really into Court to vindicate his character, he should not recover one farthing of the costs to which he must inevitably be put, inasmuch as the apology had been made and it could not be shown that special damage had been suffered? A newspaper proprietor might, under those circumstances, libel anyone to his heart's content without being made in any way responsible for it. The clause, as it stood, was not satisfactory, and the point was whether the law would not be much better without such a provision. Holding, as he did, that no Amendment would make the clause work otherwise

than most unjustly to the general public, he had pleasure in supporting the Motion for its rejection.

MR. WADDY (Lincolnshire, Brigg) said, that there were two branches of the clause to be considered, and they were both worthy of attention, though up to now only one had been spoken of. The first branch referred to the payment of money into Court, and he wished to point out that this question was being argued solely from the point of view of the respectable papers, of which, happily, we had a great number in this country. But there were also, unfortunately, a large number of papers which were far from respectable, and which, to a great extent, traded on libellous matter. At present, if a person brought an action against one of these papers, and the editor wanted to defend himself in any way such as was indicated, he had by this clause a system of protection. This, which was a provision against rascality, which no respectable paper could object to, and which was now being upset in the interests of good and bad papers alike. He did not believe for a moment that there was any newspaper represented in that House which would care twopence whether they had to pay money into Court in case an action went against them or not, because they would know that they would get it back again. It would not harm such newspapers. But in regard to the other class of papers, suppose they were dealing with papers of the kind he had indicated, under this clause the proprietor would pay nothing into Court, and they would have to go on with the case to the end, the man would get the benefit of such advertisement as he was seeking, and no costs could be obtained, as it might be discovered that the only person who was responsible was the printer with a set of type upon which there was a bill of sale already. It was said that they could not deal with the case by a simple apology. Now, he would give a case in point from his own experience, which sounded most extravagant he knew, but for the absolute accuracy of which he vouched as he stood there. He knew a gentleman who was libelled with regard to a matter of the most personal character. What happened? An apology was inserted a day or two afterwards under terror; but was that all? This paragraph libelling the man was copied into a San Francisco paper—and the man to whom he was referring had friends and relatives abroad in different parts of the world—the libel, which was copied by the San Francisco paper, was again put into a New Zealand paper, and he (Mr. Waddy) had a copy of this journal in his pocket, showing that the libel in question had actually gone all round the world. What remedy had this gentleman? They talked about special damages; but he could prove no special damages in this case—none at all. But even if damage had been done this gentleman, it would not be possible to recover for it—they would not be able to measure the damage. The man might suffer the deepest personal annoyance, and his friends also might suffer both in the Eastern and Western Hemispheres; and he (Mr. Waddy) maintained that it was not sufficient to say, as many newspapers did—"Oh, we libelled you; but our columns are open to you to answer what we said if you like." That position was taken up in the case to which he was referring. They thought that because a person libelled could not prove special damage there was adequate compensation in an apology. He would yield to no hon. Member in his desire to get rid of blackmailing, and to leave the Press practically free and unfettered so far as it should be left; but he thought that in this matter they were in danger of going a little too far now with the swing of the pendulum. They were not confining their attention to good papers, but were putting the good, bad, and indifferent altogether. Henceforward they would be putting it in the power of the bad papers, and of the rascally proprietors of papers, to say what they liked about people without being able to punish them in the way in which men of their mind were only able to appreciate punishment.

MR. LAWSON (St. Pancras, W.) said, that, in his humble opinion, hon. and learned Gentlemen had very little consideration for the House, because they had been simply repeating the arguments they had heard in Committee when it was decided to accept this clause. He knew that hon. and learned Members could not come under the ruling of Mr. Speaker for tedious repetition; but every one of the arguments they had used had been

used several times before. The Committee had been well aware of what it was doing when it decided that this clause should stand part of the Bill; and he earnestly hoped that the House would not go back and rescind the decision so arrived at. He believed a great deal of what had been said had no application to the clause, because the whole of it had turned on the insertion of an apology. Hon. Gentlemen seemed to have forgotten in the instances they had quoted that the libel was to have been published without malice and without negligence. As to the case put by the hon. and learned Member for the Brigg Division, did he allege that in that particular case the libel was published with malice and negligence?

MR. WADDY said, he alleged that it was utterly impossible to prove it; that was the point.

MR. LAWSON said, the hon. and learned Gentleman had entered into no particulars; he had only said that the libel was copied in different papers in different parts of the globe. He should like to hear what the libel was which the hon. and learned Gentleman said was so injurious in this case. How could a libel be injurious when it was published without malice and negligence.

MR. WADDY said, he did not say it was published without malice. What he had said was, that it was just one of those cases which generally occurred in which it was utterly impossible for the libelled man to prove malice or negligence.

MR. LAWSON said, the whole thing was very vague, and they could not understand what the hon. and learned Gentleman meant. It might be because he (Mr. Lawson) was not so skilled in the law as hon. and learned Gentlemen who had been obstructing the Bill that afternoon. It was assumed that a large majority of the newspapers they had to legislate for were disreputable and malicious; but, if this clause were struck out, they would be sacrificing the interests of all those genuine and honest newspapers throughout the country which he had alluded to so often before, which were not in the position of Metropolitan papers with great resources at their backs, but who, on the contrary, had very small means. These were the papers from whom, as hon. Members were aware, they had received letters from their own localities recommending the acceptance of this clause. By striking out the clause they would not punish disreputable newspapers, but would protect disreputable litigants and solicitors. He trusted that, as they had had an ample discussion of this matter in Committee, they would not reduce the Bill to a shadow of its former self by striking out the clause.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, he thought the hon. Member for West St. Pancras had pitched his speech somewhat too high. He thought the hon. Member seemed to have forgotten that certain Members stated distinctly, when they voted for the second reading of this clause, that they voted for it on the understanding that such modification would be made in it as would prevent the words "special damage" remaining in.

MR. LAWSON said, he was well aware of that, and he only meant that the clause should remain in in a modified form.

SIR RICHARD WEBSTER said, he had considered whether any Amendment of the clause in the way of cutting out the words would be sufficient to meet the objections entertained to it. If there was any grievance which could be met without any harm being done to suitors, they ought to meet him; but it seemed to him that to strike out the words "special damage" would simply be to re-enact the law as it at present stood. The object of the clause was to free a newspaper proprietor from liability when a libel had been published in his paper without malice and without negligence, where the person libelled could not prove special damage. In such a case, therefore, the clause would make the insertion of an apology an answer to the action; but as he did not believe that such a change in the law would be a salutary one, he thought that, inasmuch as newspaper proprietors had already obtained many valuable improvements made in their favour by the earlier provisions of the Bill, it would be advisable for them to consent to having this clause struck out.

MR. HOWELL (Bethnal Green, N.E.) said, with regard to what had fallen from the hon. Member for West St. Pancras (Mr. Lawson) as to cases

not being proved in this House, the fact was that cases had been proved over and over again where absolute injury had been done to individuals by respectable newspapers, whose only plea was that they inserted these libels without malice. Why, it was just that kind of newspaper that could put in that plea. No one would contend for one moment that the editor of *The Times*, *Daily Telegraph*, *Daily News*, *Morning Post*, *Standard*, and papers of that kind would allow libels to appear in their papers maliciously; but they wanted to protect a man against being libelled in these newspapers by some vagabond outside, who would send in reports which would find their way into the papers on the ground that they came from perfectly untainted sources. What he felt was that, above everything, it was the duty of this House to protect the characters of individuals. The newspapers of this country were of great power. They were often told that the newspapers were the fourth estate of the Realm. That might be so; but every other estate of the Realm was bound more or less by responsibilities, and was it to be said that the fourth estate was to be relieved of all responsibility and of all liability? It was to the interest of the community that they should take measures to protect individual character, and make it as difficult as possible for the libeller to get away from his responsibility. They had endeavoured to amend the clause when the Bill was in Committee, and certain Amendments had been agreed to; but it was distinctly understood at that time that certain other Amendments were to be made, or attempted to be made, when the clause came up again on Report.

Sir CHARLES LEWIS (Antrim, N.) said, he desired to know what was the meaning of the words "special damage?" Everyone knew how difficult it was to dissect ordinary damage, and it seemed to him that that consideration rendered it all the more necessary that hon. Members should be extra careful in dealing with the main bulk of the clause, and that they should make up their minds whether they intended to enunciate the doctrine that an apology should be sufficient.

Mr. LABOUCHERE (Northampton) said, the main objection of hon. and learned Gentlemen, he gathered, was to the word "special;" but that word was not in the Bill as originally framed. It was put in by an Amendment in Committee. ["No, no!"] There was a Division on the Question, and the word was challenged, and the Committee divided in favour of it—that was to say, the House decided in favour of the clause with this word in it. He could perfectly well understand that there were objections to the word "special," and he would venture to suggest that the House should pass the clause, and that then those who were personally in favour of the word "special" should give up their point, and agree to the clause without that word. Many hon. Members would vote on this question blindly, and would not look into the matter; and he would, therefore, ask the House to consider the words he would suggest to them, and to see how the clause would be without the word "special," and the House could then come to a conclusion as to whether newspapers would be put to any disadvantage, or whether any injustice would be done to litigants. The words he suggested were—

> "If it shall appear on the trial that any libel was made without malice and without negligence, and that the defendant had inserted an apology as by the Act provided, the plaintiff shall not be entitled to recover any damages except such damages as he can prove that he has sustained by the publication of such libel."

He would put it to hon. Members whether, if the clause were put in that way, it would be any sort of injustice to those who brought complaints against newspapers. He would point out that it was possible, if the word "special" were left in, that the hon. and learned Attorney General and the Government would be inclined to vote against the Bill on the third reading. There was a good deal in leaving out the word "special." There was a good deal in the Bill which would be useful to newspaper proprietors and *à fortiori* to the public as well; and under the circumstances he would not like to risk losing the whole cake by insisting upon one particular plum in it. He trusted, therefore, that they would adopt the clause on the understanding that the word "special" would not be pressed.

Sir ALGERNON BORTHWICK (Kensington, S.) said, he certainly should press this clause to a Division, as he con-

sidered it the most valuable clause in the Bill. It was particularly levelled at protecting newspapers from the unfair attacks of speculative attorneys and plaintiffs. Papers, as a rule, had a great deal of regard for the feelings of persons libelled, and though the House had heard a great deal of libel cases they had had only special cases cited, and he did not think they had at all fairly considered the question from a broad point of view. Throughout his experience on the Press he had always found that the great mass of papers were only too ready to rectify a libel, not only to explain, but also to pay. They were quite ready to pay whenever they thought injustice had been committed. They were always ready to give compensation where any special or even general damage could be shown; they did this willingly and without a murmur. The newspapers did not complain of the law, they did not complain of special damages, or a proper action being brought against them, but the complaint was, that where they might have published libels without malice or negligence, some libels which would never have been taken hold of by a respectable person, they were taken up by an impecunious nobody who was prompted by some little lawyer to bring an action. There were libels and libels. Sometimes the matters complained of were libels, though generally they were not, and in most cases the newspapers were told by their legal advisers that it was better to compromise, as otherwise they would not get their costs. He thought that it was necessary that this clause should be retained in order to prevent frivolous actions. He trusted the House would vote the clause as it was voted by the Committee. There were certain Amendments on the Paper which could not be taken until the clause was voted, and whatever might be the opinion of the House on the details, he hoped, at any rate, that the principle of the clause would be unanimously adopted.

MR. COMMINS (Roscommon, S.) said, he could not understand the arguments of the hon. Bart. the Member for South Kensington (Sir Algernon Borthwick). Under Lord Campbell's Act a newspaper had power to pay a sum of money and to plead an apology. The hon. Baronet said he had always found newspapers eager to pay money into Court where damage had been done. What, therefore, could be the objection to the provision under Lord Campbell's Act? In the case of a man who was libelled, either he was injured or he was not, and if he was injured he (Mr. Commins) failed to see why the newspaper should be relieved of all liability. He regarded it as a misfortune that hon. Gentlemen who were not lawyers should have to deal with these legal questions, as it got them into such messes as the Houses were now in with regard to "special damages." It must be remembered that special damages were not always capable of proof, and that a man might have suffered serious injury by libel although it might not be possible for him to prove that he was refused the sale of a pound of sugar or a pound of meat by tradesmen in consequence of such libel. A man whose character was injured was clearly entitled to compensation, and the only chance he had of having his character reinstated was by bringing an action and going into the witness-box. Looking at the Bill as having passed into law and become a Working Act, the result of the clause would be that the newspaper proprietor who had libelled a man, wronged his character, taken away his means of living, and inflicted upon him pain that would not cease as long as he lived, could further inflict upon him a bill of costs, and thus deprive him of his last crust; because the man would be under the imperative necessity of clearing himself in the witness-box. The effect of the clause would thus be that a man could only clear his character by final ruin. Now, if any provision had been introduced into the Bill that would deprive the proprietor under all circumstances of the right of claiming costs, the case would be bad enough; but if such a provision as he had tried to persuade the Committee to accept had been admitted—namely, that the proprietor should assist the individual libelled in getting satisfaction from his slanderer by handing over the notes, or by producing a witness to prove the slander, he should have been inclined to support the clause. But nothing of the kind had been done, and it was here intended to add another great source of evil to the Bill, and place the person libelled in a more unfortunate position than before,

He thought there should be no more immunity for a newspaper proprietor who destroyed the character of an individual than there was for any one else engaged in ordinary trade operations.

Mr. ANDERSON rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and *agreed to.*

Question put accordingly, "That the said words stand part of the Bill."

The House *divided:*—Ayes 107; Noes 230: Majority 123.—(Div. List, No. 170.)

Remaining words of Clause *omitted.*

Bill to be read the third time upon *Wednesday* next.

REFORMATORY SCHOOLS ACT (1866) AMENDMENT BILL.—[Bill 161.]

(*Mr. Dugdale, Mr. Whitmore, Mr. Wharton, Mr. Curzon, Mr. Dixon, Mr. Mark Stewart.*)

CONSIDERATION.

Bill, as amended, *considered.*

Mr. W. F. LAWRENCE (Liverpool, Abercromby) said, when the Bill was in Committee he had, on short Notice, drafted a clause with reference to the form of Order for detention of offenders, which, having been hurriedly considered, was rejected by the Committee. But thinking that there were good reasons for the admission of the clause, he had redrawn it, and now begged to submit it to the House. He found since last week that he had ample ground to go upon. The Bill proceeded on the lines of the Act of 1866, and as his desire was to follow that Act more strictly than was done in the Bill, he had adapted the clause which required the gaoler to detain the offender for 14 days to the case provided for in the Bill. His object was to impress on the person detaining the offender and the offender himself the nature and importance of the position in which they would stand to each other. He thought it should be made clear to the House that a new position was about to be created. He pointed out that while the keeper was not, as the Bill stood, to have brought home to him the consequences of any casual neglect, the person in his charge was liable to three months' imprisonment, with or without hard labour, if he took French leave and ran away from him—that was to say, to avoid the objectionable practice of sending a boy to prison in the first instance, he might run away and then get a sentence of three months' imprisonment. For those reasons, he thought, they ought in the most formal way to set out the position as between the keeper and the offender in the manner proposed in the Schedule to which the clause he was about to move referred. He was prepared not merely to support the clause on principle, but also the Schedule which he should propose, and which was wholly unobjectionable as well as quite desirable. It was unobjectionable because it followed exactly the order for detention contained in the Act of 1866, which, like his new clause, was permissive. It seemed to him unwise to give a boy who had been sentenced to four years in a reformatory school the chance of escaping too easily from his keeper during his 14 days' detention.

New Clause—

(Form of Order of detention.)

"The order for the detention of an offender made in pursuance of this Act may as to its formal parts be in the form set forth in the Schedule to this Act, and shall contain on the face of it the penalties incurred by persons under section seven of this Act,"—(*Mr. W. F. Lawrence,*)

—*brought up,* and read the first time.

Motion made, and Question, "That the Clause be read the second time," put, and *agreed to.*

The UNDER SECRETARY of STATE for the HOME DEPARTMENT (Mr. Stuart-Wortley) (Sheffield, Hallam) said, he agreed with his hon. Friend that it was, in regard to this new departure, necessary to take all possible precautions with a view to preventing the powers of the Bill to be exercised with laxity. But he might observe that it was very doubtful whether the first part of the proposed clause was necessary. His hon. Friend would find that by the 36th section of the Act of 1866, certain forms might be used to meet circumstances which might arise, and that one of these was the form of order for detention, which he submitted with a slight alteration could be made appropriate to the Bill. He failed to perceive what it was his hon. Friend had added to the clause of the Act of

1866 by his clause and Schedule which they could usefully adopt. He observed that his hon. Friend made it compulsory that there should be a statement on the face of the detention order of the penalty to which persons might be liable for what he might call escaping from the Bill. But he thought it would be much more desirable to take powers for a Public Department which had ample time for the purpose to settle the necessary forms.

MR. DUGDALE (Warwickshire, Nuneaton) said, he agreed that the form of order for detention should bear on its face the penalties incurred by persons for evading the Act; but he did not see any necessity for any form being set out in a Schedule to the Bill, because it was provided that the Act of 1866 should be constantly at one with this Act, and by Section 36 of the former Act it was provided that no summons or order for carrying out the provisions of the Act should be invalid for want of form, and that the Schedules might be used with such variations as might be required. Therefore he thought the Amendment of the hon. Gentleman unnecessary, and would prefer to leave it to the Home Office to frame rules, or else to follow the Act of 1866 with such alterations of form as might be necessary.

MR. TOMLINSON (Preston) said, he did not think they ought to pass an Act with any doubtful matter in it. It would be premature to express any opinion on the Schedule of the hon. Gentleman now; but he hoped the clause would be read a second time.

MR. STUART-WORTLEY suggested, that after "be," in line 2, they should add the words—

"Such as from time to time shall be framed by one of Her Majesty's Secretaries of State, and shall contain on the face of it the penalties provided for by this Act."

Mr. J. G. TALBOT (Oxford University) said, this proposal went against the principle that the Act ought to be complete in itself. It was pretty generally admitted that one of the great faults of modern legislation was that it was so common for one Act to refer to others, and it was a pity to repeat this error. If the forms of the Act of 1866 were good, he did not see why they were not good enough for the present Bill.

MR. RADCLIFFE COOKE (Newington, W.) said, the change made by the Bill was clearly not contemplated by the Act of 1866, and the circumstances under which the forms could be varied could not by any stretching be considered to have relation to the cases contemplated by the Bill. The Act of 1866 provided for the temporary imprisonment of the juvenile offender, whereas the object of the Bill was exactly the opposite. It provided that the offender should not be imprisoned, but that in order that he should not be contaminated during the time he was waiting to be sent to a reformatory he should be kept in the private custody of some person. He did not think the Schedule of the hon. Gentleman desirable.

MR. TOMLINSON (Preston) said, they ought to provide machinery to allow the Act to be properly worked the moment it came into force.

Verbal Amendments made.

Amendment proposed—

In line 2 of the new Clause to leave out the words "in the form set forth in the Schedule of this Act," and insert "with such variations as circumstances require, as shall be from time to time prescribed by one of Her Majesty's principal Secretaries of State."—(*Mr. Stuart-Wortley.*)

Amendment *agreed to.*

Clause, as amended, *added* to the Bill.

On the Motion of Mr. DUGDALE the following Amendment made:—In Clause 4, page 2, line 11, leave out "police" and insert "a police officer appointed for the purpose by the said Court Justices or magistrate;" in Clause 5, page 2, line 19, after "magistrate" insert "and thence to the reformatory school."

Bill to be read the third time upon *Friday.*

DISTRESS FOR RENT (DUBLIN) BILL.

(*Mr. Murphy, Mr. Johnston, Mr. Dwyer Gray, Mr. T. D. Sullivan, Captain McCalmont, Mr. T. Harrington.*)

[BILL 159.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 4, inclusive, *agreed to.*

Clause 5 (Certain goods exempted from distress and execution).

THE CHAIRMAN: I have to point out that the Amendment to this clause,

in the name of the hon. Member for North Sligo (Mr. P. McDonald) is not within the scope of the Bill. It proposes to extend the jurisdiction of the Court of Conscience, which could only be done by instruction before the Bill went into Committee.

Clause *agreed to.*

Clauses 6 to 8, inclusive, *agreed to.*

Clause 9 (Public store to be maintained by the municipal authority).

On the Motion of Mr. MURPHY the following Amendment made:—In page 2, line 36, after "times" insert "and in such manner."

Clause, as amended, *agreed to.*

Remaining Clauses *agreed to.*

Bill *reported*, with an amended Title; as amended, to be considered *To-morrow.*

OATHS BILL—[BILL 7.]

(*Mr. Bradlaugh, Sir John Simon, Mr. Kelly, Mr. Courtney Kenny, Mr. Burt, Mr. Coleridge, Mr. Illingworth, Mr. Richard, Colonel Eyre, Mr. Jesse Collings.*)

COMMITTEE. [*Progress, 13th June.*]

Bill *considered* in Committee.

Clause 1 (affirmation may be made instead of oath).

Amendment proposed, in page 1, line 5, after the word "person," to insert the words "excepting those who state they have no religious belief."—(*Mr. Norris.*)

Question proposed, "That those words be there inserted."

MR. NORRIS (Tower Hamlets, Limehouse) said, the question before the Committee was that of the Amendment which he had moved a week ago and which he hoped would to-day be accepted. He would not disguise from the Committee that his Amendment should be construed as the outcome of his desire to cripple the Bill, and he would add that he should be very glad if that result was to be attained. But apart from that, there were many difficulties which would be created by the Bill. It had been pointed out by the hon. and learned Member for Deptford (Mr. Darling), on a previous occasion, that it would have the effect of causing much difficulty in the Law Courts, if people of all persuasions, such as Hindoos and Mahommedans, were to insist on other forms of affirmation. On the second reading of the Bill, an hon. Member had stated that he was prepared to stand up before God and his fellow-men and declare that he would do that which was right. That was what he (Mr. Norris) thought they had an opportunity of doing now; every Member who had been elected for any constituency in the Kingdom under those circumstances had taken his seat in that House without difficulty. He was not opposed to the freedom of the Press, or the freedom of the subject in any other walk or position in life; but in a case of this kind there was a line to be drawn, and he did think it was for the House to put some limit upon the application of the principle of the Bill. As he had stated, it was his intention, and that of his hon. Friends, to contest the Bill step by step. On the other hand he did not wish to impart into his remarks any references of a personal character. There were considerations of a higher nature involved here, and he could not but think that this Bill would have the effect of undermining that faith which was inherited by and believed in by the English people. He thought it would be a good thing if the Committee would follow the manly words spoken by the present Emperor of Germany in his address to his people—that they should set an example to nations, "foster piety and the fear of God," and be the true guardians of the rights of the people.

Question put.

The Committee *divided*:—Ayes 108; Noes 205: Majority 97.—(Div. List, No. 171.)

It being half after Five of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon *Wednesday* next.

QUESTIONS.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—CONSPIRACY—RELEASE OF KILLEAGH PRISONERS.

MR. JOHN MORLEY (Newcastle-upon-Tyne): I wish to ask the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) a Question of which I have given him

private Notice—that is, Whether it is true that the Court of Exchequer in Dublin to-day discharged the prisoners from Killeagh, and whether they have discharged them on the ground that there was absolutely no evidence of conspiracy?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): It is quite true, as the right hon. Gentleman has stated, that the Court of Exchequer has discharged the prisoners; but it is not, however, accurate to say that they have been discharged on the ground that there was absolutely no evidence of conspiracy. On the contrary, there was the clearest evidence that there was conspiracy punishable at Common Law, but it was held that there was not sufficient evidence of that particular kind of conspiracy that was necessary under the Act.

MR. COMMINS (Roscommon, S.): I wish to ask the right hon. Gentleman the Chief Secretary, if at the Crimes Court now sitting at Castlerea the Crown agents had persistently refused to produce the depositions taken against the persons returned for trial and charged with conspiracy, notwithstanding the provisions of the first section of the Crimes Act; and, whether they had done so by the direction of the right hon. Gentleman?

MR. A. J. BALFOUR: If the hon. Gentleman puts a Question on the Paper I will inquire into the matter.

THE EXECUTIVE (IRELAND)—RUMOURED RESIGNATION OF THE CHIEF SECRETARY TO THE LORD LIEUTENANT.

MR. SEXTON (Belfast, W.): May I ask the right hon. Gentleman the Chief Secretary for Ireland, is it true, as stated in the newspapers, that he has already resigned or is about to resign his Office?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have no objection to answer. It is one of those ridiculous fictions so current in the Irish Press.

MR. CLANCY (Dublin Co., N.): May I ask, whether the Irish Press to which the right hon. Gentleman refers is not a supporter of the right hon. Gentleman?

MR. A. J. BALFOUR did not reply.

MR. CLANCY: May I ask, with reference to the Question put by my hon. Friend the Member for South Roscommon (Mr. Commins), and as it is a matter of urgency—because I understand the Crown have refused at three or four different times to comply with the Provisions of the Act of Parliament, and as the trial is proceeding, and will also be on to-morrow—may I ask, are we to be told in this House that the Crown have no information on questions of this sort—namely, whether they are content to sanction a distinct violation of an Act of Parliament?

MR. A. J. BALFOUR: No, Sir. If I am asked distinctly that Question, I shall have no difficulty in stating that the Crown are not prepared to sanction a distinct violation of an Act of Parliament.

MR. CLANCY: Then will the right hon. Gentleman telegraph to his managers at Castlerea, and press them to produce these depositions that have been so repeatedly refused by the Crown?

[No reply.]

MOTION.

COMMONS REGULATION PROVISIONAL ORDER [THERFIELD HEATH] BILL.

On Motion of Mr. Stuart-Wortley, Bill to confirm a Provisional Order for the Regulation of Therfield Heath and Greens, situated in the parish of Therfield, in the county of Hertford, in pursuance of a report from the Land Commissioners for England, *ordered* to be brought in by Mr. Stuart-Wortley and Mr. Secretary Matthews.

Bill *presented*, and read the first time. [Bill 301.]

House adjourned at Ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 21st June, 1888.

MINUTES.]—SELECT COMMITTEE—Standing Orders of the House of Lords, The Earl Sydney *added*.

PUBLIC BILLS—*First Reading*—Customs (Wine Duty)* (169).

Second Reading—North Sea Fisheries (158).

Third Reading—National Debt (Supplemental) (155), and *passed*.

Report—Pharmacy Act (Ireland), 1875, Amendment* (112-168).

PROVISIONAL ORDER BILLS — *First Reading*— Tramways (No. 2) * (166).
Third Reading—Elementary Education (Birmingham) * (101), and *passed.*

METROPOLIS (OPEN SPACES)—PROVISION FOR SEATS IN PARLIAMENT SQUARE.—QUESTION.

In reply to the Earl of MEATH,

LORD HENNIKER said, he had asked the First Commissioner of Works whether he could put any seats in Parliament Square, in the vicinity of Canning's statue, and he had instructed him to say that he was prepared to do so.

NORTH SEA FISHERIES BILL.—(No. 158.)
(*The Earl of Onslow.*)
SECOND READING.

Order of the Day for the Second Reading, read.

THE SECRETARY TO THE BOARD OF TRADE (The Earl of ONSLOW), in moving that the Bill be now read a second time, said, the object of the Bill was to carry out a Convention entered into with the Government of other Powers interested in the North Sea fisheries. The Bill sought to prevent what was becoming a very grave scandal—namely, the sale of spirituous liquors on board vessels known as "coopers." The measure was identical with the legislation proposed by the other countries interested, and the penalties were the same as those imposed by the Sea Fisheries Act of 1883.

Moved, "That the Bill be now read 2ª."—(*The Earl of Onslow.*)

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

METROPOLIS (STREET IMPROVEMENTS)—PROPOSED NEW STREET FROM PALL MALL TO TRAFALGAR SQUARE THROUGH SPRING GARDENS.
QUESTION. OBSERVATIONS.

LORD THURLOW said, he rose to ask the Government whether, now that the public were freely admitted to the Mall by Storey's Gate and that the plans for the new Admiralty and War Office were under revision, they would re-consider the question of opening a new street from the Mall to Trafalgar Square through Spring Gardens? This subject had, on a previous occasion, been under consideration by their Lordships, and he felt that he ought in some sense to apologize for again bringing it forward. Circumstances, however, had changed, and two of the objections that were urged against this proposal then could not be urged now. Eighteen months ago Storey's Gate was thrown open to the public. It had previously been urged that if this plan were adopted the traffic would increase to such an extent that the approaches to Parliament and the quietude of the park might be seriously prejudiced. The experience with regard to Storey's Gate had shown how groundless this fear was. The second objection had been removed by the postponement and revision of the plans with regard to the War and Admiralty Offices. If the Mall was continued in a straight line as far as Trafalgar Square, the cost would be comparatively trifling, and a great improvement in the Metropolis would be accomplished. He hoped the Government would favourably consider this proposal.

LORD LAMINGTON asked, what were the present plans of the Government with regard to the War and Admiralty Offices which were to have been erected in the Park?

THE EARL OF MEATH said, he hoped the Government would look with favour on this proposal. It would be greatly to be regretted if the opportunity were lost of carrying out the improvement suggested, and so making a magnificent avenue. He trusted the Government would be able to give a satisfactory answer to the question of the noble Lord (Lord Thurlow).

LORD HENNIKER said, he would not follow his noble Friend behind him (Lord Lamington) into the question of the Admiralty and War Office, as he had a short time ago explained to the House the position of affairs with regard to the proposed New Offices. The plans for the War Office depended entirely upon what Parliament settled as to the Admiralty. As to the proposal of the noble Lord opposite (Lord Thurlow), that a road should be made connecting the Mall with Trafalgar Square, when Messrs. Leeming and Leeming's plan was under consideration, the question of making a road had not been forgotten, and in the plan now proposed it had been thought of, in case it was decided to make a road there. To make a road,

it would be necessary to pull down some of the houses in Spring Gardens, now occupied by different Departments of the Admiralty. Their Lordships would see that no decision could be come to on this question at present. Until these Departments were provided for in the new buildings, they must remain in their present quarters. When the new buildings were finished, it would be the best time to consider how the surplus land in Spring Gardens should be dealt with, when, too, it would, no doubt, be the best time to consider whether a road should be made as proposed by his noble Friend opposite.

THE EARL OF MORLEY said, he trusted that the noble Lord would be able to tell the House at no distant date that the proposal had been favourably considered. Not only would the general appearance of Trafalgar Square and the Park be improved by the new road, but the congested traffic in the neighbouring streets would be greatly relieved.

LORD HENNIKER said, that he was unfortunate, as he thought his noble Friend opposite (Lord Morley) had misunderstood him. The question had not been forgotten or unfavourably considered, and would, no doubt, be considered again at the proper time.

DEFENCES OF THE EMPIRE—FORTIFIED PORTS—ENTRY OF FOREIGN SHIPS OF WAR AND TRANSPORTS.

QUESTION. OBSERVATIONS.

THE EARL OF CARNARVON, in rising to ask whether Her Majesty's Government proposed to issue instructions to naval commanders or colonial governors with regard to the entry of foreign ships of war and transports carrying troops into fortified ports in Her Majesty's dominions? said, there were few questions of greater importance from a military and naval point of view. We possessed first-class harbours in various parts of the world, some of them being under Imperial control, and others under Colonial control. Among the former were the harbours at Singapore, Hong Kong, and Malta, and among the latter such harbours as those of Sydney and Melbourne. Some of these ports were centres of much commerce and wealth, and were of great political importance; others were in the nature of coaling stations for the Navy, and on these in time of war the safety and success of our maritime operations would depend. But whether merely centres of wealth or merely coaling stations, they were alike places of immeasurable importance. That was the first point to be borne in mind. The second point was that the world had arrived at a stage when all the conditions of naval warfare were enormously altered. Foreign squadrons now consisted of heavily-armed ironclads. While the armour a few years ago probably did not exceed some five or six inches, its thickness was now at least twice as great and the armament carried was proportionately stronger. In the event of hostile operations, if an enemy's squadron, consisting of such iron-clads, were to be within the waters of one of our great colonial ports, the place would be absolutely at its mercy. It might be said that an operation such as he contemplated could only be carried out at the outbreak of a war and in circumstances of surprise amounting almost to treachery. He did not desire to impute any unfairness or treachery to any nation, least of all to any of the great European Powers; but, on the other hand, they were bound to remember that the stake in such a case would be enormous, that the history of wars was a history of surprises, that certain grave theories had been deliberately published by eminent foreign military critics, and that modern warfare was, in all its operations, essentially rapid. Therefore, it was the bounden duty of those who were responsible for the safety of these ports to leave nothing to chance. What, he asked, was our practice with respect to the entrance of foreign warships into our colonial ports? We had, he believed, no rule upon the subject. But what was the practice of other great Powers? The Italians admitted ships into their ports in certain numbers only, and he doubted whether this privilege of limited admission did not depend upon the nationality of the vessels. The Germans excluded ships of war altogether, and the French excluded them from their chief ports—Brest and Toulon. The Russians, who at one time did admit a limited number of foreign cruizers into the port of Vladivostock, now excluded them absolutely. We alone, with everything to lose, with fai

more at stake than any other nation—we alone had no fixed rule, unless it was a rule permitting free entry into every one of Her Majesty's ports. By making and enforcing a rule of prohibition we should not be laying ourselves open to any charge of lack of international amity, for we should be following simply the practice of other nations. In thinking over the subject and in talking to experts it seemed to him that there were only three courses possible. The first would be to limit the number of foreign men-of-war entering a port; the second would be to assign to foreign ships particular waters within our harbours; and the third would be to exclude them altogether. A great deal might be said in favour of each one of these three courses, but his own view was that the last would be the best because it was the simplest and suited the practical and strategical conditions of every port. There was more than one port in which the presence of one single powerful ship of war might render of no avail all the fortifications around it. The last course he had named would be by far the best. At all events, it was the duty of the Government to lay down some distinct rule on this subject, and he would urge that such a rule could not be in contravention of the comity of nations. This was the time for making such a regulation. When we were on good terms with every other nation of the world, there could be no offence in following their example, but if once relations were strained between us and any other Power, such a regulation would have the semblance, at all events, of unfriendliness. He hoped Her Majesty's Government might be able to show that this matter had been under their careful consideration, and that before long they would be able to take some action upon it.

LORD ELPHINSTONE said, the noble Earl would hardly expect him to enter into the details to which he had referred, many of which were still under the consideration of Her Majesty's Government. So far as the matter had gone, it was not convenient, consistently with due regard to the interests of the Public Service, to make any statement, and that being the case, no instructions had been issued to naval commanders on the subject.

The Earl of Carnarvon

TRADE OF INDIA AND THE COLONIES.

MOTION FOR A RETURN.

LORD STANLEY OF ALDERLEY, in calling attention to Parliamentary Paper "Commercial, No. 8, 1888," said, he intended to invite the attention of the House to two points only in connection with the Paper referred to. Firstly, Mr. Bryce, on the 4th of June, 1886, in answer to a Question in "another place," had denied that commercial treaties, containing Most Favoured Nation Clauses, precluded preferential treatment being given by the United Kingdom to the Colonies. Now, that answer, which was given as the opinion of Her Majesty's Government of that day, was completely contradicted by the Return Commercial, No. 8, which had just been laid before both Houses of Parliament, and which contained a memorandum from the Foreign Office which must be considered as authoritative. The only explanation he could offer for Mr. Bryce's answer was that either he gave it from his unassisted judgment, or else that he consulted the wrong person. Secondly, the Return mentioned treaties with the countries named in the Notice which were not terminable for several years—that with Greece would not be terminable till 1898; and until those treaties were worked off, or abrogated by the consent of the countries with which thay were made, all the other countries having a Most Favoured Nation Clause would retain the advantages enjoyed by the countries named in the notice. Now, the Conservative Party were pledged to the policy of drawing closer the Colonies to the Mother Country, or of Colonial federation; but, with one or two exceptions, it must be said that the Leaders of the Liberal Party were fully as desirous of securing that end; and although Her Majesty's Government had concluded the affair of the New Hebrides, yet the Australian colonists were most indebted to the efforts both in and out of office of the noble Earl (the Earl of Rosebery) in their behalf. It is now well understood that there could be no Colonial federation without fiscal preferential treatment of the Colonies. The carrying out of this preferential treatment was therefore certain sooner or later. In April last, Mr. Mac Neill, M.P.,

moved a Resolution, which was carried unanimously by the Ottawa branch of the Imperial Federation League—

"That the agricultural, manufacturing, and commercial interests of the Colonies and the Mother Country would be greatly promoted by such modification in the various fiscal policies adopted within the Empire as would give to each of its members advantages in the several markets withheld from foreign countries; and the meeting respectfully suggests that Parliament should in its wisdom consider the advisability of entering into negotiations with the Imperial authorities for carrying out such a policy."

Under these circumstances, and seeing that the United States had been offering similar advantages to the Canadians in order to detach them fiscally from the Mother Country, it was unfortunate that in negotiating these recent treaties, greater care had not been taken to avoid tying the hands of this country for a further term of years. For instance, what was the good of negotiating a Treaty with Montenegro, a country which had no seaports, and no emigrants, except a few gardeners who went to Constantinople, with the result of adding to the number of treaties by which we were hampered. The ease or difficulty of obtaining a release from those engagements would depend very much upon the amount of trade between the Colonies and the countries with which treaties had still several years to run. The country had a right to be informed on this point, and the knowledge of it would be useful to the Government; he would therefore move for the Return according to the Notice.

Moved for,

"Return showing the amount of trade between India and each of the Colonies on the one hand, and the following countries;—Equador, Greece, Italy, Montenegro, Paraguay, Portugal, Roumania, Salvador, Servia, Uruguay, during the year 1886."—(*The Lord Stanley of Alderley.*)

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS) said, that so far as India was concerned there was no objection to the Motion if the words "as far as practicable" were introduced.

THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD) said, on behalf of the Colonial Office, he should offer no objection to the Return, provided the words suggested by the noble Viscount were inserted. The Colonial Office desired to do everything possible to strengthen the ties between the Colonies and the Empire; but he doubted whether preferential and protective trading arrangements would have that effect.

LORD STANLEY OF ALDERLEY said, he would accept the qualification suggested.

Motion, as amended, *agreed to.*

"Return showing, as far as practicable, the amount of trade between India and each of the Colonies on the one hand, and the following countries:—Equador, Greece, Italy, Montenegro, Paraguay, Portugal, Roumania, Salvador, Servia, Uruguay, during the year 1886."

Ordered to be laid before the House.

House adjourned at quarter-past Five o'clock, till To-morrow, a quarter-past Four o'clock.

HOUSE OF COMMONS,

Thursday, 21st June, 1888.

MINUTES.]—SUPPLY—*considered in Committee*—ARMY ESTIMATES, Votes 12, 2, 3; NAVY ESTIMATES, Vote 2

PRIVATE BILL (*by Order*)—*Withdrawn*—Battersea Vestry (Parish Lands).

PUBLIC BILLS—*Second Reading*—Consolidated Fund (No. 2).

Committee—Supreme Court of Judicature (Ireland) Act (1877) Amendment [281]—R.P.

Committee—Report—Third Reading—Companies Clauses Consolidation Act (1845) Amendment [230], and *passed.*

Considered as amended—Third Reading—Distress for Rent (Dublin) [159], and *passed.*

Third Reading—Customs (Wine Duty) * [293], and *passed.*

PROVISIONAL ORDER BILLS—*First Reading*—Local Government (Ireland) (Ballymoney, &c.) * [302].

Report—Local Government (No. 8) * [271]; Local Government (No. 10) * [275]; Local Government (No. 11) * [276].

THE MAGISTRACY (IRELAND)—MESSRS. GARDINER AND REDMOND, R.M.—CASTLEMARTYR.

PERSONAL EXPLANATION.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I wish, Sir, to make a personal explanation which will not detain the House more than a few minutes at the outside. I see reported in the newspapers an observation of the Chief

Baron of the Court of Exchequer in Ireland—a most becoming observation, I think, couched in most becoming terms—to the effect, practically, that there ought not to have been comments made in this House upon the case of the prisoners sentenced at Castlemartyr for exclusive dealing while the proceedings were in course of review in the Court of Exchequer. While entirely concurring in that observation, I wish to say that I was absolutely unaware that the proceedings either were or could be brought under review in that particular manner. It is within the cognizance of the House that they were not brought under review in the ordinary course contemplated by the Crimes Act of last year, and for this very simple reason—that none of the sentences amounted to more than one month, and, consequently, none of them gave a right of appeal. The application of *habeas corpus* to the Court of Exchequer was a proceeding I was not aware of; and certainly if I had been aware of it I should not have put any Question to the Government on the matter until it had been decided by the Court of Appeal.

QUESTIONS.

—o—

REVENUE OF THE CROWN (SCOTLAND)—THE ANNUAL FEU DUTIES.

MR. LYELL (Orkney and Shetland) asked Mr. Chancellor of the Exchequer, If he will state the amount which has been received from Crown vassals in Scotland during the past financial year on account of annual feu duty paid to the Crown; the amount paid to the Crown as composition of a year's rent due to the superior on the entry of singular successors; the amount paid as relief duty by heirs on succeeding, and the number of heirs who have so paid?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): In reply to the hon. Member, I have to say that the amount which has been received from Crown vassals in Scotland during the past financial year on account of annual feu duty paid to the Crown is £11,269 4*s.* 8*d.* The composition of a year's rent due to the superior on the entry of singular successors is not, as a rule, exacted by the Crown, but in lieu thereof, and as a matter of favour, the Crown usually accepts one-sixth of the old valued rent. The amount received under this head is £88 14*s.* 3*d.* The amount paid as relief duty by heirs on succeeding was £435 12*s.* The number of heirs who have so paid is 21.

VICTORIA PARK HOSPITAL FOR CONSUMPTION—ALLEGED ILLEGAL DISSECTION.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Secretary of State for the Home Department, Whether he will inquire into the truth of the following allegation against the authorities of the Victoria Park Hospital for Consumption:—

"That on the 23rd of April last a young man named Cornish died in the hospital, having been an in-patient for five days only. That Mr. John Cornish, of Mount Street, Bethnal Green, the father of the deceased, was unable to get the body; and, having been informed that it was to be opened, said that he would not allow it; that the Rev. Robert Loveridge, Vicar of St. Philip's, Bethnal Green, who accompanied Mr. Cornish, also warned the authorities not to touch the body; and that, notwithstanding these notices of objection, the body was dissected;"

whether, if these facts are true, an offence against the Criminal Law has been committed; and, if so, whether he will cause proceedings to be taken against the parties accused?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have inquired into this matter, and am informed by the authorities of the Hospital that it is not the fact that the father was unable to get the body. It was given to him at the customary time, on the day of the death. He expressed no objection to a *post-mortem* examination, inasmuch as he did not come to the Hospital until after the examination had necessarily taken place. Mr. Loveridge did not accompany Mr. Cornish, neither did he warn the authorities not to touch the body. The so-called dissection of the body was nothing else than the usual *post-mortem* examination, which was made in consequence of the sudden death of the patient and other unaccountable features of his case. I am unable to discover that the authorities have rendered themselves amenable to the Criminal Law.

THE MAGISTRACY (IRELAND)—LIMERICK MAGISTRATES—SALE OF INDECENT PHOTOGRAPHS.

MR. H. J. WILSON (York, W.R., Holmfirth) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true, as stated in *The Freeman's Journal* of June 14, 1888, that the Limerick Magistrates sent William Marks to prison, on Wednesday, June 6, for a month, for selling indecent photographs; whether the Lord Lieutenant granted him a free pardon; whether he was liberated after one week in gaol; who reported the case to the Lord Lieutenant, and obtained the pardon; on what ground was the pardon granted; whether it is true that the photographs would have been destroyed by order of the Lay Magistrates, but for the intervention of the Resident Magistrate, Mr. Irwin, who opposed such destruction, and contended that equally bad photographs were exhibited in the shop windows of London, Limerick, and other places; and, what course the Government intend to take with regard to future prosecutions of a similar kind?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.) in reply, said, the Resident Magistrate had reported that the statements which had appeared in the newspapers with regard to the case of William Marks, who was sent to prison at Limerick on June 6, for selling indecent photographs, were inaccurate. The magistrates first sentenced the man to imprisonment for a month. They then re-considered the case, and, owing to the absence of evidence on a particular point, marked it "no rule." The allegation that the photographs belonging to Marks would have been destroyed on the order of the Lay Magistrates were it not for the intervention of the Resident Magistrate was a pure fabrication; and the statement that the Resident Magistrate said that equally bad photographs were exhibited in Limerick and London was also untrue. Marks was also charged with carrying on the business of a pedlar without a licence. He was fined 10*s.* or the alternative of seven days' imprisonment. Someone paid the fine, and the prisoner was discharged in the ordinary way. The matter did not at all come under the cognizance of the Lord Lieutenant.

RUGBY HABITATION OF THE PRIMROSE LEAGUE — OBJECTIONABLE SPORTS.

MR. COBB (Warwick, S.E., Rugby) asked the Secretary of State for the Home Department, Whether his attention has been called to a report in *The Rugby Advertiser*, of June 16, of some sports at the recent annual *fête* of the Rugby Habitation of the Primrose League; whether it is true, as stated in such report, that there was an "animal race," in which several dogs (including a terrier), a lamb, and a hen competed, and that they were driven by their owners by means of strings tied to their legs; that considerable amusement was caused by the terrier going for the lamb at every opportunity; that many persons present expressed their sense of the cruelty practised; and that, in obedience to protests, the hen was eventually withdrawn from the contest; and, whether he will make any communication to the officers of the League, with a view of preventing a repetition of such practices?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have received a Report from the Police Authorities on this matter. They inform me that such a race did take place. It was not a lamb that competed, but a three-year-old Welsh sheep, and a very small terrier, which was much frightened by the sheep, and took care to keep out of its way. The hen, when brought to the post, settled herself on the grass, refused to move, and was at once taken away. The police assure me that no cruelty took place, nor was there any protest on the part of the crowd. I see nothing in the circumstances to justify or call for any further interference on my part.

LABOURERS' ALLOTMENTS ACT, 1887—BANBURY BOARD OF GUARDIANS.

MR. COBB (Warwick, S.E., Rugby) asked the President of the Local Government Board, Whether in the Rules submitted by the Banbury Board of Guardians for approval under "The Labourers' Allotments Act, 1887," there is one obliging the tenants of allotments to cultivate by spade labour only, and prohibiting the use of the plough; and, whether the Local Government Board have approved such Rule?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The Banbury Rural Sanitary Authority submitted to the Local Government Board a draft of Regulations which had been prepared by them with regard to allotments, and one of the proposed Regulations was that a person to whom an allotment is let shall cultivate the same by spade husbandry only. The Board, in returning the draft, raised no objection to this proposed Regulation. It is one which they believe is very usually adopted in agreements for the letting of allotments. The Regulations have not been formally approved by the Board. In the first instance, they have to be deposited for the inspection of the ratepayers; and if any persons locally interested think it desirable to make any objections to the Board with reference to the Rule in question they will be considered by the Board before the Regulations are approved by them.

CIVIL SERVANTS — EXAMINATIONS FOR FIRST CLASS CIVIL SERVICE CLERKSHIPS.

SIR WILLIAM CROSSMAN (Portsmouth) asked the Secretary to the Treasury, Whether there is any probability of an examination being held for First Class Civil Service Clerkships at an early date; and, if so, when?

SIR HERBERT MAXWELL (A LORD of the TREASURY) (Wigton) (who replied) said: No, Sir; it is not probable that any examination can be held at an early date; and, looking to the present requirements of the Civil Service, it is not possible for me to say when the next will be held.

WAR OFFICE — THE ARMY CLOTHING FACTORY, PIMLICO — PIECE WORKERS.

MR. BROADHURST (Nottingham, W.) asked the Financial Secretary to the War Office, Whether Rule 18 of the Rules and Regulations for Piece Workers in the Royal Army Clothing Factory, at Pimlico, which runs as follows:—

"Loan Societies and Clubs for various purposes must not be carried on upon the premises without the special authority of the Director of Clothing,"

is intended to apply to the branch of the Tailoresses' Trade Union existing among workers in that factory; and, whether it will prevent officers of that Society from collecting contributions from members after work hours?

THE FINANCIAL SECRETARY (Mr. BRODRICK) (Surrey, Guildford): The Rule does apply to the Tailoresses' Trade Union; but it does not prevent its officers from collecting contributions from members after work hours outside the building.

POOR LAW (IRELAND) — LOUGHREA BOARD OF GUARDIANS—SANITARY OFFICER—ELECTION OF MR. PETER SWEENY.

MR. SHEEHY (Galway, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, What was the date on which Mr. Peter Sweeny was elected by the Loughrea Board of Guardians sanitary officer of the Union; what is the usual time it takes for the Local Government Board to consider elections of this kind; and, what is the specific nature of the objection, if any, the Central Board can make to the election of Mr. Sweeny?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, the date of the election was May 20. There was no usual time for the consideration of such elections by the Local Government Board, who conveyed their decision as soon as practicable. Peter Sweeny had been imprisoned for three weeks in Galway Gaol; and the Board did not regard him as a fit and proper person to hold the office to which he had been appointed.

MR. SHEEHY: Will the right hon. Gentleman say what was the charge for which Mr. Sweeny was imprisoned?

MR. A. J. BALFOUR: I think the charge was for carrying arms without a licence. In 1882 this man was twice in gaol on suspicion, the suspicion being in one of these cases that he had been accessory to murder.

MR. SHEEHY: All Mr. Sweeny was convicted for was for having powder for carrying on his ordinary business.

PRISONS (IRELAND)—DISMISSAL OF DALY, PRISON WARDER AT SLIGO.

MR. SHEEHY (Galway, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Daly, the prison warder who was dismissed at Sligo, was off duty from 2 p.m. till 9.30 p.m. on the evening of January 30, the day and time in which the prohibited

articles were found in a certain prisoner's cell; whether Daly was on that evening, when he went on duty, asked for an explanation for the articles complained of being found in the prisoner's cell; whether he answered that before he went off duty he searched the prisoner's cell, and found nothing inadmissible in it, and that he left it all right; whether the prisoner in question was ever asked as to who was or who was not guilty of introducing into the prison the articles complained of; and, whether there was any evidence whatever to show Daly was the culprit, beyond the fact that the objectionable articles were found in the prisoner's cell; and, if not, whether he will re-open the inquiry, so as to enable the prisoner in question to come forward and state on oath whether it was or not Daly who brought these things in to him?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The General Prisons Board report that the statements in the first three paragraphs are substantially correct. The prisoner does not appear to have been questioned on the matter. As regards the last paragraph, the grounds on which the man was dismissed were that he was responsible for the presence of prohibited articles in a prisoner's cell of which he was at the time in charge, a responsibility equally attaching to him whether it was the result of wilful connivance or of culpable negligence on his part.

THE LORD MAYOR OF DUBLIN (MR. SEXTON) (Belfast, W.): I wish to ask the right hon. Gentleman if he regards the inquiry as satisfactory or complete, considering that the prisoner, the only person who could give a satisfactory explanation, was not examined?

MR. A. J. BALFOUR: I presume the gentleman who held the inquiry satisfied himself that an examination of the prisoner was not necessary.

MR. SHEEHY: Will the right hon. gentleman give the prisoner in question the opportunity of swearing on oath that the man had nothing at all to do with the matter?

MR. A. J. BALFOUR: I do not intend to have the matter re-opened.

POST OFFICE (IRELAND)—POST OFFICE AT DALYSTOWN, LOUGHREA.

MR. SHEEHY (Galway, S.) asked the Postmaster General, Whether he received on the 6th or 7th instant a Memorial, largely and influentially signed, from the inhabitants of Dalystown, Loughrea, asking that a rural post office be erected in Dalystown; and, what, if any, has been the nature of the answer he has given to the memorialists?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University), in reply, said, he had received the Memorial referred to, and was giving it his careful consideration.

LAW AND JUSTICE (IRELAND)—ARRESTS AT LOUGHREA.

MR. SHEEHY (Galway, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the seven merchants of Loughrea who were taken out of their beds on the morning of the 14th instant, on a charge of conspiracy under the ordinary law, are to be prosecuted under the ordinary law or before a Court constituted under the Criminal Law and Procedure (Ireland) Act; whether the conspiracy of which they are accused is of recent date; and, if not, what is the time this alleged conspiracy existed; and, whether any other and what, if any, prosecutions under the ordinary law were instituted in connection with this alleged conspiracy, and what was the result of these prosecutions?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The District Inspector of Constabulary reports that four only of the defendants referred to belonged to Loughrea. The trial will be under the ordinary law at Assizes. The conspiracy has been going on since 1879, the object being to compel a man to surrender an evicted farm which he had taken. True bills for larceny of hay from the farm in question were found at last Sligo Winter Assizes against four of the persons now referred to, and eight others; but, owing to the absence of the principal witness, the trial was postponed to the Galway Spring Assizes, and then further postponed to the Summer Assizes.

MR. T. M. HEALY (Longford, N.): I should like to ask the Solicitor General for Ireland, under what circumstances the police in Ireland handcuffed these men, who were untried prisoners?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): With reference to that matter

of fact, I must ask the hon. and learned Gentleman to put a Question on the Paper.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I wish to ask, with reference to this case of conspiracy arising in 1879, whether these merchants were arrested in their beds at 3 o'clock in the morning upon the assumption that they were about to leave their businesses and their families and run away from the charge?

MR. A. J. BALFOUR said, the hon. Member rather misapprehended what he had said. He did not say that the conspiracy took place in 1879. What he said was that the conspiracy began in 1879, and continued down to the present day. He presumed the police found it necessary to arrest these men at the hour named, because they anticipated that they might have escaped if they had not been taken in that way.

MR. FLYNN (Cork, N.) asked, would the right hon. Gentleman give a further assurance, in addition to the assurance he gave the other day, that the case of untried prisoners would receive the immediate attention of the Irish Government?

MR. A. J. BALFOUR said, that the question of the accommodation for untried prisoners was being looked into, he believed, in England; and he was making in Ireland an inquiry parallel to that which was being conducted in this country.

LAW AND POLICE (SCOTLAND)—SUSPICIOUS DEATH OF JOHN MACKAY, SOUTH HARRIS.

DR. CAMERON (Glasgow, College) asked the Lord Advocate, Whether he has completed the further inquiries recently promised into the case of John Mackay, some time ago found dead and half-naked in the Island of South Harris, whose death was reported by the police as due to exposure, but whose mother asserted that his body when found showed stabs in two places, and other marks of violence indicative of foul play; and, if he would state the date on which Mackay's body was found; the date of the inquiry on which the first Police Report was based, and by whom the inquiry was conducted; the date at which the medical examination of the body was made by Dr. Stewart; and the dates of any visit or visits made to the Island by the Procurator Fiscal for the purpose of inquiring into the case?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I have completed the inquiry, and am unable to find any evidence to justify the institution of criminal proceedings. The body was found on January 5. Owing to the violent storm prevailing at the time, the Inspector of Police and the Deputy Procurator Fiscal representing the Procurator Fiscal, who was storm-stayed in the Island of Barra, were unable to reach the spot till the 11th. They at once made an inquiry and reported. Application was made for exhumation of the body, but the Sheriff Substitute declined to order it.

POOR LAW (IRELAND) — DISMISSAL OF OFFICIALS—CASE OF P. LOUGHRY, RATE COLLECTOR.

MR. COX (Clare, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the rule or usage of the Local Government Board to dismiss, by sealed order, Poor Law officials in Ireland, without any previous communication with the Local Board of Guardians; what offence was Mr. Patrick Loughry, rate collector in the Tulla Union, charged with, which resulted in a sentence of 14 days' imprisonment, for which he was dismissed by sealed order of the Local Government Board; what was the date of his trial, and the date of his dismissal; whether it is a fact that the Guardians have advertised for a successor to Mr. Loughry, that no candidate has presented himself, and that no rates are being collected in the five Divisions formerly under his charge; whether he is aware that in consequence of this the Tulla Board of Guardians have been compelled to refuse out-door relief to applicants for it, and that the duties thrown upon poor rate collectors in Ireland under the Franchise Act are undischarged in this district, and a large number of electors thereby disfranchised; and, whether he will lay upon the Table the Correspondence between the Guardians and the Local Government Board on the subject of Mr. Loughry's dismissal?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The

Local Government Board have occasionally acted as indicated, the case being one which they deemed it right to take entirely into their own hands, and to deal with without consulting the Guardians, and for which they have full statutable authority. Loughry appears to have been prosecuted under the ordinary law, on January 23, for taking part in an unlawful assembly. He was dismissed on April 5. It is a fact that the Guardians have advertised for a successor, with the result stated. The Local Inspector reports that the Guardians have been able to give almost no out-door relief since October, 1887; but this has been owing to the general financial condition of the Union, and not to the cessation in the collection in the district referred to. The duties under the Franchise Act are not being discharged in the particular district. I am, however, advised that payment of rates to any person authorized by the Guardians to receive them will have the effect of preventing disfranchisement; and that it would be lawful for them to authorize the Clerk of the Union to receive rates which may be tendered to him before July 1 from the collecting district which is vacant.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): May I ask whether in the case of Wilson, the Clerk of the Limerick Union, the Local Government Board refused to dismiss him, after they had become aware that his accounts were inaccurate to the extent of £200, until they first consulted the Guardians; and with respect to this case of Loughry, I wish to ask whether the unlawful assembly was simply a meet of the hunt of the local harriers; and, also, whether the real offence was on his receiving a forged letter from Head-Constable O'Callaghan, enclosing £10 as a bribe if he would give certain information to the police, that he instead sent the money to the Tenants' Defence Fund?

MR. A. J. BALFOUR: With regard to the Question about the Limerick Union, the hon. Gentleman will be good enough to put it on the Paper. With regard to the Question about Loughry, his offence was not simply hunting with the local harriers. Neither, as far as I know, was any cognizance taken of the incident of the letter to which the hon. Gentleman refers. I am totally ignorant of the circumstances, the accuracy of which I greatly doubt.

MR. COX said, the right hon. Gentleman had not answered the first paragraph of the Question; whether it is the rule of order or usage for the Local Government Board to dismiss by sealed order without consulting the Guardians; or whether, if the right hon. Gentleman would refuse to publish the Correspondence or lay it upon the Table, he would state if it was a fact that the Guardians at the meeting refused to deem it their duty to let the Local Government Board know that it was the belief of the Guardians that no eligible person would apply for the office so long as the sealed order with Mr. Balfour's signature to it remained in force?

MR. A. J. BALFOUR said, he had no knowledge on the subject; but if the hon. Gentleman put a Notice on the Paper he would inquire.

SIR WILFRID LAWSON (Cumberland, Cockermouth): Would the right hon. Gentleman have any objection to state what the unlawful assembly was?

MR. A. J. BALFOUR: Sir, I cannot give full information on the point; but I can say that the unlawful assembly was of an intimidatory character directed to tenants.

MR. T. M. HEALY (Longford, N.): May I ask the right hon. Gentleman——

MR. SPEAKER: Order, order!

INDIA—THE IRRAWADDY FLOTILLA COMPANY.

MR. BRADLAUGH (Northampton) asked the Under Secretary of State for India, Whether he can now give the promised information as to the Irrawaddy Flotilla Company?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham), in reply, said, the information had not yet arrived. The Return would take some time to prepare; but it might be delivered by the mail which was expected to-morrow.

THE PARKS (METROPOLIS)—GREENWICH PARK.

MR. BRADLAUGH (Northampton) asked the First Commissioner of Works, Whether at the termination of the pre-

sent tenancy of the Ranger's Lodge, Greenwich Park, the 15 acres, or thereabouts, of the 16 acres 28 perches at present attached to the Lodge can be thrown open to the public?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): The subject raised by the Question of the hon. Member is an important one, and I shall take care to inquire into it carefully.

WESTERN AUSTRALIA — GOVERNOR BROOME AND CHIEF JUSTICE ONSLOW.

MR. HENNIKER HEATON (Canterbury) asked the Under Secretary of State for the Colonies, Whether he is now in a position to give the result of the Privy Council decision on the dispute between Governor Broome and Chief Justice Onslow of Western Australia; and, what course the Government have decided on in regard to Governor Broome?

THE UNDER SECRETARY OF STATE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The Report of the Committee of the Privy Council, which was approved by the Queen, found that of the three charges formulated against the Chief Justice, the first afforded no sufficient ground for a formal charge, though the Chief Justice had acted indiscreetly; that the conduct imputed to the Chief Justice in the second charge arose apparently from irritation produced by the first charge; and although the language of the Chief Justice was characterized by much impropriety, yet, as it was not then published, it did not in itself afford adequate ground for a charge intended to lead to suspension from office; that the third charge was more serious, as the Chief Justice had given for publication language of great animosity to the Governor, as well as confidential information, which he had no right so to communicate, and that on this charge the Committee had had some hesitation in not recommending the confirmation of the suspension of the Chief Justice; but, as no misconduct of a moral character, or connected with judicial duties, had been imputed to him, they recommended that the suspension be removed. Her Majesty's Government have not felt themselves called upon to take any action with regard to the Governor.

OPEN SPACES (METROPOLIS)—PRIMROSE HILL.

MR. LAWSON (St. Pancras, W.) asked the First Commissioner of Works, Whether he is aware of the unsatisfactory condition of Primrose Hill, that the paths are worn away and denuded of grass, and no adequate efforts are made to preserve the property as originally laid out when converted into a park; and, what steps he proposes to take for the purpose of restoring and preserving the enclosure of Primrose Hill as a recreation ground for the benefit of the large number of persons who frequent it as a popular place of resort?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University), in reply, said, he was well aware of the condition of Primrose Hill from frequent personal observation; and he could not admit that, considering the nature of the case, it could fairly be described as unsatisfactory. The grass near the paths was in places worn away; and, no doubt, this deterioration could, to some extent, be remedied by putting up cross hurdles and other fencing, and thus keeping people more strictly within bounds. But this would be to treat Primrose Hill as a private park or garden, rather than as a place open, as it now practically was, for thoroughfare at all hours of the day and night to the public generally. The Hill looked very well in the spring time; but he was afraid that he could not promise to take any steps which would prevent the grass from being worn away in the dry weather.

MR. LAWSON asked, if the First Commissioner would give orders that Primrose Hill should be watered at night?

MR. PLUNKET: It was well watered last night.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ADMISSION TO BAIL.

MR. GILHOOLY asked Mr. Solictor General for Ireland; Whether, in the interval between the arrest of a person charged with an offence under "The Criminal Law and Procedure (Ireland) Act, 1887," and the hearing of a charge, any magistrate has the power to accept bail for the appearance of such person?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin Uni-

versity): There are no provisions in the Statute enabling Justices of the Peace generally to accept bail under the circumstances mentioned in the Question. In the case of a prosecution under the Act referred to, any person arrested under warrant, on being brought before a Resident Magistrate, may be admitted to bail, should the magistrate be of opinion that this course should be taken.

In further reply to Mr. GILHOOLY,

MR. MADDEN said, that under the Crimes Act one Resident Magistrate could admit to bail, although the Court of Summary Jurisdiction consisted of two Resident Magistrates.

MR. GILHOOLY asked, whether the provisions of the Petty Sessions Acts were repealed; or whether they were incorporated with the Criminal Law and Procedure Act of last year?

MR. MADDEN said, that the provisions of the Petty Sessions Act were not repealed by the Criminal Law and Procedure Act of last year; but they did not apply to the case mentioned in the Question.

MR. O'HEA (Donegal, W.) asked, whether it was not the habitual practice of Resident Magistrates to supersede the function of the ordinary magistrates in the cases of persons arrested and waiting for trial under the Coercion Act?

MR. MADDEN: That necessarily results from what I have stated to the House—that an application under the Act of last year must be made to a Resident Magistrate, but not necessarily to a full Court of Summary Jurisdiction, because a single magistrate has power to act. The magistrate acting must be a Resident Magistrate.

MR. FLYNN (Cork, N.) inquired, what section or sub-section of the Act debarred the ordinary magistrate under the Coercion Act from taking bail?

MR. MADDEN: No section of the Act debars an ordinary magistrate from taking bail; but the ordinary magistrate has not the jurisdiction under the Act which the hon. Member supposes him to possess.

ARMY (AUXILIARY FORCES)—ENGINEER VOLUNTEER CORPS.

SIR CHARLES PALMER (Durham, Jarrow) asked the Secretary of State for War, Whether officers of the Line are being appointed to Engineer Volunteer Corps; and, if so, whether this arises from paucity of Royal Engineer officers available for such appointments, or lack of advantages necessary to induce them to leave their own corps to become adjutants of Volunteer Corps?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Line officers have been appointed as adjutants of Engineer Volunteer Corps in consequence of the paucity of Engineer officers available. Officers of the Royal Engineers are not seconded when holding extra-regimental appointments. Eight officers have been added to the corps for this purpose; but as the Engineer Auxiliary Forces require 18 adjutants some must be provided from other sources.

SUGAR BOUNTIES—THE NEGOTIATIONS.

MR. PICTON (Leicester) asked the Under Secretary of State for Foreign Affairs, Whether he can give any further information concerning the progress of the negotiations concerning sugar bounties; and, whether he can say at what time the Papers relating to the Conference on that question will be laid upon the Table?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): No further information can yet be given. The Revised Draft of the Convention prepared in the last meeting of the Conference is under the consideration of the Governments concerned.

In further answer to Mr. PICTON,

SIR JAMES FERGUSSON said, that Papers were never presented to Parliament until negotiations of this kind were completed. The Conference would meet again in August, when the result of the reference to the Governments would be known. Papers could, of course, not be presented until after that time.

MR. CONYBEARE (Cornwall, Camborne) asked, if the Prorogation of Parliament took place before that time, what opportunity the House would have of discussing the matter?

[No reply.]

SUGAR BOUNTIES CONFERENCE—THE PAPERS.

MR. ILLINGWORTH (Bradford, W.) asked the First Lord of the Treasury,

Whether he will undertake that Papers containing a full account of the negotiations concerning the sugar bounties, and of the proceedings of the Conference, shall be laid before the House, so as to give ample time for considering and discussing them before any legislation on the subject is attempted in this country?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, N.E.) (who replied) said: Full information will be supplied to Parliament before any legislation is proposed.

SIR WILFRID LAWSON (Cumberland, Cockermouth) said, he really must ask the right hon. Gentleman whether he would undertake that there would be no legislation on the subject until they had the Papers?

SIR JAMES FERGUSSON: I have already said so.

MR. ILLINGWORTH asked, whether the right hon. Gentleman could say if the statement in *The Daily News* was correct, that the sugar bounties for the coming year would be maintained in France?

SIR JAMES FERGUSSON: I have no information on that point. Perhaps the hon. Member will put a Notice on the Paper.

PRISONS (IRELAND)—LONDONDERRY GAOL.

MR. O'HANLON (Cavan, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that there is inside the main entrance to Londonderry Gaol a large hall and also a large waiting room formerly used by visitors; whether he is aware that people who go there to visit their political friends are first asked their business, and then are ordered by an official to the street to wait there for a very long time; and, whether he will say if he has given those instructions to the Governor; and, if not, will he explain by whom they were given?

THE CHIEF SECRETARY (Mr. A. BALFOUR) (Manchester, E.): The General Prisons Board report that for a few days visitors were not admitted inside the outer door of the prison while waiting. Such instructions were not issued by the Board, the Governor having acted on a suggestion made by the Inspector of Prisons. On learning the fact, on the 18th, the Prisons Board at once issued directions to the Governor to resume the former practice of giving visitors immediate admission, there being ample accommodation for them in the large entrance hall and in the office.

POOR LAW (IRELAND)—DEFALCATIONS IN BALLYMENA UNION.

MR. PINKERTON (Galway) asked the Chief Secretary to the Lord Lieutenant of Ireland, Is he aware that, in the recent defalcations in Ballymena Union, although a bogus bank book had been kept from September, 1885, till 1888, there was only one bank book for the six years preceding; that, while frauds were being constantly perpetrated during that period, the accounts were certified by Colonel Studdert as being correct; that leaves had been torn from the ledger and others pasted in; that private marks had been put upon the margins opposite sums of £40 and £50 without exciting the suspicion of the auditor; that the master's and relieving officer's receipt and expenditure books had been partly, if not altogether, kept by the clerk; and, if his attention has been directed to a Resolution which was passed unanimously by the Guardians on the subject; and if, under the circumstances, he will grant the sworn inquiry demanded?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): A Resolution was received yesterday by the Local Government Board, adopted by the Board of Guardians of the Ballymena Union, asking for an inquiry in regard to the manner in which the accounts of the Union have been audited. Colonel Studdert has been called upon for an explanation before deciding whether the inquiry should be granted.

In reply to The LORD MAYOR of DUBLIN (Mr. Sexton) (Belfast, W.),

MR. A. J. BALFOUR said, that, as far as he understood the Question, the hon. Gentleman asked him to give an opinion on Colonel Studdert's behaviour before Colonel Studdert himself had had an opportunity of explaining his conduct, and he (Mr. A. J. Balfour) must decline to do so.

INDIA—CIRCULAR No. 5, ISSUED BY THE INSPECTOR GENERAL OF POLICE, BENGAL.

MR. SLAGG (Burnley) asked the Under Secretary of State for India, Whether he has now seen the "confidential" Circular No. 5, issued by Mr. J. C. Veasey, Inspector General of Police, Bengal, dated Calcutta, December 30, 1887, which directs the police, among other subjects, to scrutinize and report weekly upon—

"Everything, however apparently trivial, that can have a political significance; comments on laws and Government measures; affairs in independent or semi-independent Native States, and rumours regarding their constitution; objects and proceedings of Native Societies, whether established for political or ostensibly for other objects; political or mass meetings, their origin, organization, and result as to public feeling in the neighbourhood, &c.;"

and, whether the Secretary of State will consider the advisability of directing the Circular to be withdrawn?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): No official copy has yet been received. In accordance with a promise I gave on June 7, a despatch has been sent to the Government of India on this subject; and, as soon as a reply is received, the matter will be considered by the Secretary of State in Council.

POOR LAW AMENDMENT ACT—PAUPER CHILDREN AS "HALF-TIMERS" IN FACTORIES.

MR. LEES (Oldham) asked the President of the Local Government Board, Whether it is contrary to law for Guardians of the poor to allow pauper children to work as "half-timers" in the factories; whether he is aware that the Lancashire cotton spinning industry can only be properly mastered by those who are employed in it at an early age as "half-timers;" and, whether he sees any prospect of being able to propose any alteration of the law in this respect?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The proposal which has been submitted to the Local Government Board is that children, while they are maintained as pauper inmates of the workhouse, should be allowed to leave the workhouse during part of the day for the purpose of being employed in factories. The Board have stated that such an arrangement is opposed to the principles which should guide the Guardians in the administration of relief. It appears to the Board to be entirely opposed to the principles of the Poor Law Amendment Act that persons, while maintained in the workhouse at the cost of the rates, should be employed in factories, and thus compete with independent labour. If such an arrangement were legalized as regards factory work, the adoption of the same principle could not be resisted with respect to the employment of workhouse inmates in agricultural and other labour. I cannot hold out any expectation that an alteration of the law will be proposed.

AFRICA (WEST COAST)—ADMINISTRATION OF JUSTICE AT SIERRA LEONE—EXECUTION OF NATIVES.

MR. A. M'ARTHUR (Leicester) asked the Under Secretary of State for the Colonies, Whether three Natives named W. T. G. Caulker, T. C. Caulker, and Lahai, were tried in the Colony of Sierra Leone for murder, convicted, recommended to mercy by the jury, and, notwithstanding that recommendation and much local feeling in their favour, hanged at Shaingay on the 6th instant; whether the murder charged was the levying of war by one Native Chief against another; whether the Government has received information of the trial, and sanctioned the disregard of the recommendation of the jury; whether the levying of war in question took place in British territory proper or in the Protectorate, and what was the jurisdiction to try by English law for murder in a case of intertribal warfare; and, whether the above-named W. T. G. Caulker was the same man who, some years since, was released by order of the Home Government from an illegal imprisonment by the Colonial Authority, an imprisonment which had lasted four years?

THE UNDER SECRETARY OF STATE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): Three Natives, so named, have been tried for murder at Sierra Leone and convicted, and were executed at Shaingay on the 6th instant. The Secretary of State has no official information that they were

recommended to mercy, or as to local feeling in the case. The murder appears to have been committed in an attack on Shaingay in the course of an insurrection against a Native Chief, the circumstances of which are set forth in the despatches presented to Parliament in September last, C.5236. Her Majesty's Government received information that the trial was taking place, and has been informed by telegraph of the conviction and execution of these men, but has not yet received a Report of the trial. The Governor has been called upon for a full Report. The murder appears to have taken place in British territory, and the Colonial Court had jurisdiction to try for all crimes committed in the Colony. W. T. G. Caulker was in 1878 taken by the Governor of Sierra Leone out of the hands of a Native Chief, a relative, who was about to put him to death, and was detained at Freetown—partly for his own protection and partly to prevent an outbreak of war—until 1881, when he was allowed to return to his own district in accordance with the terms of a reconciliation between him and his family effected by the Governor. As was stated by the then Under Secretary of State on August 23, 1881, he was detained as a State prisoner without any clear warrant of law. His release was not directly ordered by the Home Government, but was preceded by an inquiry by the Secretary of State.

CRIME AND OUTRAGE (IRELAND)—THE ROMAN CATHOLIC CHURCH OF BOHER, CO. LIMERICK.

MR. FINUCANE (Limerick, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been directed to a paragraph which appeared in *The Cork Herald* of last Saturday, which states that the windows of the Roman Catholic Church of Boher, County Limerick, were broken a few days before, it is believed, by Emergency men; and, whether he will direct a Resident Magistrate to hold a sworn inquiry, under "The Criminal Law and Procedure (Ireland) Act, 1887," in order to discover the perpetrators of the alleged outrage?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The District Inspector of Constabulary reports that panes of glass were broken with stones on the night of the 14th instant in Boher Roman Catholic Chapel; and on the same night panes of glass were broken in a similar manner in the Protestant Church at Caherconlish, two miles from Boher. The offences are believed to have been perpetrated by a tramp named Patrick Sweeny, not by Emergency men. Sweeny was arrested, charged with the offence, and remanded on the 17th instant for eight days. The parish priest spoke to his congregation about the breaking of the glass, and said—

"No notice should be taken of the matter; it was the act of a poor demented person."

WAR OFFICE—REMOVAL OF THE AYRSHIRE ARTILLERY TO PLYMOUTH.

MR. MAC NEILL (Donegal, S.) asked the Secretary of State for War, Whether the Ayrshire Artillery were lately removed from Ayrshire to Plymouth; is it true that this regiment has not been removed from Scotland for 12 years, and that in its number there are 200, or a considerable number, of Parliamentary voters; was the regiment removed before or after the death of the late Mr. Campbell, Member for the Ayr Burghs; was a remonstrance made to the authorities about the removal of the regiment on the eve of a Parliamentary election; and, if so, can he state why this remonstrance was not attended to?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): There is no Militia corps of Ayrshire Artillery. The Ayrshire Infantry Militia will train at Ayr next month. Probably the hon. Member refers to the Argyll and Bute Artillery, which was selected in December last to train this year at Plymouth. The actual orders for its embarkation were issued on May 17. No application was received asking that any change in the arrangements should be made; but if it had been it is improbable that it could have been acceded to.

MR. MAC NEILL asked, whether in the Argyll and Bute Artillery Militia there were 200 voters of the Ayr Burghs; and, whether the regiment had long been stationed at Campbeltown, one of the Ayr Burghs?

MR. E. STANHOPE: With regard to the number of voters in the regiment I have no information, and I do not in-

tend to ask. I believe that the regiment has been stationed at Campbeltown; but the Military Authorities decided in December last that this year it should be drilled at Plymouth.

MR. T. P. O'CONNOR (Liverpool, Scotland): Are we to understand that the Military Authorities have the power of disfranchising a number of soldier voters by removing them from the constituency in which they have a vote at a time when an election contest is going on?

MR. E. STANHOPE: I am afraid that military considerations override every other consideration, and that those who are in the service of the Government—whether in the Army or the Militia—must expect to go wherever they are called by the Military Authorities.

In reply to Mr. MAC NEILL,

MR. E. STANHOPE said, it was purely a matter for the Military Authorities to decide; and until this Question was put down he personally had no knowledge whatever on the subject.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ARRESTS AT CURASS, KANTURK.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that in Ireland lately the police have resorted to the practice of taking men out of their beds in the dead of night, mostly upon warrants for charges under the Coercion Act; why the arrests of six tenant farmers at Curass, near Kanturk, on the 14th instant, were made at 2 a.m., although the occurrence which was the subject of the charge dated so far back as March 23, and although, after the men had been held in custody at the police barrack for about 20 hours, the police assented to their release on bail; and, whether the Government will instruct the Irish police not to cause unnecessary confusion and alarm in households, and especially to women and children, by making arrests of persons of respectable condition in the dead of night?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am informed that arrests are not made at night, except in cases where the responsible officer has reason to suppose that arrest would otherwise be evaded or rescue attempted. The District Inspector of Constabulary was of opinion he could not execute the warrants in the case in question were he to attempt to do so later in the day.

MR. SEXTON said, that the right hon. Gentleman had not answered the third paragraph of the Question.

MR. A. J. BALFOUR said, he did not think there was any necessity whatever to issue the instructions referred to, for he had no reason to believe the Irish police did cause unnecessary alarm and confusion in households.

MR. FLYNN (Cork, N.) asked, if people in the neighbourhood of Curass had not been summoned under the Coercion Act, and attended the Court in answer to the summons?

MR. A. J. BALFOUR said, the facts might be as the hon. Gentleman stated. He had no knowledge of them; but, even if true, he did not see how they affected the issue raised by the Question.

IRISH LAND COMMISSION—JUDICIAL RENTS — SUB-COMMISSIONERS AT MANORHAMILTON.

MR. CONWAY (Leitrim, N.) had the following Question on the Paper:—To ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is in accordance with the spirit and letter of the Land Law Act of 1881, that the Chairman of the Sub-Commissioners should fix the judicial rent whilst in Court, on the mere testimony of a landlord's valuator, and without at all visiting the farm affected by such rent; whether, at the late sitting of the Sub-Commissioners, Mr. E. O. M'Devitt in the chair, at Manorhamilton, County Leitrim, the case of "Sarah Maguire *v.* Owen Wynne" came on for hearing; and, whether the Chairman fixed the judicial rent on the basis of the old rent; and, if so, whether the Government will afford facilities to Sarah Maguire for a re-hearing of her case? The hon. Gentleman complained that the Question was not in the form in which he handed it in. It ought to be——["Order!"]

MR. SPEAKER: Order, order! The hon. Gentleman will put the Question as it appears on the Paper.

MR. CONWAY: But it does not appear on the Paper as it ought to be.

MR. SPEAKER: The hon. Member will content himself with putting it as it appears on the Paper.

MR. CONWAY: Then I decline to put the Question.

CUSTOMS HOUSE—THE STATISTICAL DEPARTMENT — SPECIAL PAY OF WRITERS.

MR. CONYBEARE (Cornwall, Camborne) asked the Secretary to the Treasury, Whether, as the Committee of Inquiry into the Statistical Department of the Customs House recommended a special rate of pay to the writers employed therein, and several months have since elapsed, it is intended to adopt such recommendation; and, if so, when the same will be brought into operation; what is the reason for the prolonged delay in respect of the promotion of writers to the Lower Division who are employed in those Offices which have not been dealt with under the provisions of the Treasury Minute of December, 1886, and who, fulfilling all the conditions laid down in that Minute, have been accordingly recommended; and, when the writers employed in the Customs Outports (similarly situated) may expect to be informed of the decision in their case?

SIR HERBERT MAXWELL (A LORD of the TREASURY) (Wigton) (who replied) said: Very considerable changes in the organization of the Customs Statistical Department have been proposed by a Committee; but we are not prepared to carry out organic changes until the Royal Commission on Civil Establishments has considered the clerical establishments of the Customs. In the meantime, we contemplate an *ad interim* arrangement, which we hope will be shortly ready for adoption. We are about to issue our decision in the case of copyists in the Local Government Board. The other cases outstanding are cases of appeal, in which our objections have not as yet been removed. As regards certain copyists at the outports who have been brought before us for favourable consideration, we are still in correspondence with the Commissioner of Customs as to the proper method of dealing with their claims. I regret there has, undoubtedly, been some delay; but we hope to be able to settle it in a few days.

LONDON SCHOOL BOARD—AMALGAMATION OF BOROUGHS.

MR. LAWSON (St. Pancras, W.) asked the Vice President of the Committee of Council on Education, Whether he is aware that, for purposes of the London School Board, the boroughs of Paddington, Marylebone, Hampstead, and St. Pancras are amalgamated; and, whether tenement occupiers are entitled to vote at these elections; if so, why in Paddington they are precluded by the parochial authorities, whilst in the other boroughs they are allowed?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford): For the purposes of the London School Board the Division of Marylebone does, I believe, comprise the Parliamentary boroughs stated. It is provided in the Second Schedule of the Elementary Education Act, 1873, that every ratepayer whose name appears in the Rate Book at a particular date shall be entitled to vote, and no person shall be entiled to vote whose name does not so appear; but beyond that the Department have no information to give.

WAR OFFICE—RAVENSCOURT PARK, HAMMERSMITH.

MR. BRADLAUGH (Northampton) asked the Secretary of State for War, Whether it is intended to use any portion of the Ravenscourt Park, Hammersmith, for drilling or military exercises; and, if so, whether this will have the effect of excluding the ratepayers of Hammersmith from ground purchased for the purposes of public recreation?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I have been in communication with my hon. and gallant Friend the Member for Hammersmith (General Goldsworthy), and I have also received a Memorial on this subject. Looking to the local circumstances, it is exceedingly unlikely that Ravenscourt Park will be used for any military purpose, except, perhaps, for the local Volunteers. But I do not think I should be justified, on national grounds, in assenting to a bye-law which would exclude the military from the Park under any conceivable circumstances.

EVICTIONS (IRELAND)—EVICTION AT CLOGHER.

MR. W. REDMOND (Fermanagh, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the following account of an eviction in Ireland, which is taken from a London paper:—

"An eviction was carried out yesterday on the property of Mr. Montroy Gledstanes Fardross, Clogher, telegraphs our Dublin correspondent. Nearly 40 police were in attendance. The evicted family numbers six members. One, a blind boy, received the last sacrament last evening, and the father, an old man of 80 years, was so weak and ill, as to appear utterly unconscious of what was going on around him. Another son besought the Sub-Sheriff (Mr. McKelvey) to delay the removal of the father from bed till the parish priest might be sent for, as the arrival of Mr. McKelvey had taken the family by surprise, but the officer was inexorable. The old man was then transferred from his bed to a cart, in which he was conveyed to the house of a son-in-law, where he received the last sacrament immediately afterwards from the parish priest;"

and, whether it is not in the power of the Government to refuse to allow the forces of the Crown to be used in evicting persons under such painful circumstances?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I am sorry that the reports which I have received are not sufficiently full to enable me to answer this Question to-day. Would the hon. Gentleman kindly put the Question down for to-morrow?

MR. W. REDMOND: Mr. Speaker, this is the second time that I have put this Question; and I will ask the right hon. Gentleman whether his attention has been called to the information which has been given to the public in the newspapers to-day — information which the Government, as appears from the answer of the right hon. Gentleman, could not get, although the public have it to-day? The Question I wish to ask is this——

MR SPEAKER: Order, order! The right hon. Gentleman has just stated that he is not in a position to give an answer to-day, but that he will give it to-morrow. If the hon. Gentleman is asking a Question now which is not on the Paper he should give Notice of it.

MR. W. REDMOND: I beg to ask the right hon. Gentleman a Question as to a matter which appears in the newspapers in connection with this case?

MR. SPEAKER: The hon. Member must give Notice of the Question.

MR. W. REDMOND: But the man is dying.

MR. SPEAKER: Order, order!

MR. W. REDMOND: But the man is dying. ["Order!"] It is very hard that a man is turned out to die.

MR. SPEAKER: Order, order!

MR. W. REDMOND: Turned out to die on the roadside.

MR. SPEAKER: Order, order!

ADMIRALTY—TORPEDO NET DEFENCE COMMITTEE—EXPERIMENTS.

ADMIRAL FIELD (Sussex, Eastbourne) asked the First Lord of the Admiralty, Whether it is true, as reported, that in the final experiments on May 17, carried out by the "Torpedo Net Defence Committee" at Portsmouth, it was conclusively shown that wooden booms entirely failed, although increased from 10 to 12 inches diameter, the same being broken or blown away from their heel attachments to the side of the *Resistance* when subjected to the explosive action of 92 lb. of gun-cotton against nets suspended from such booms; whether in all the previous experiments, from September, 1886, to the present time, wooden booms have invariably failed when exposed to ordinary explosions of gun-cotton against nets; whether, notwithstanding these failures, it has been decided to fit the *Invincible* and other ships with similar heavy wooden booms of from 20 to 24 cwt. in preference to steel booms of an improved type, weighing under 10 cwt., as proposed by Mr. Bullivant; whether the estimated cost of steel booms is from £20 to £22, as against £28 to £30 for wooden booms of 12 inches diameter; whether it is true that the "Net Defence Committee" and Dockyard officials are in favour of steel booms being fitted to Her Majesty's ships; and, if so, why are wooden booms still ordered to be used when naval opinion outside the Admiralty Office is known to be in favour of steel booms, as being less than half the weight, less costly, more durable and efficient; and, whether the Lords Commissioners of the Admiralty will be pleased to order a further trial of steel booms to establish beyond doubt their superiority over wood, as claimed for them by authority, before expending further moneys on wooden ones?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): During the present year five experiments, with a view to testing the efficiency of wooden booms, have been carried out. In one case only was the boom broken, though some defects in the ironwork and rigging were developed on each of these occasions; and, excepting in the case of the broken boom, the injury was not of a nature to render the net defence inefficient, but the damage was such as could be readily repaired. The statement that the wooden booms entirely failed cannot, therefore, be supported. It has been decided to fit the *Invincible* with wooden booms, and the work is in progress. The estimated cost of steel booms is slightly greater than that of wooden booms. It is true that the Net Defence Committee recommended the use of steel booms; but there is a great divergence of opinion on the subject. Until further experience has been gained by actual use of the present fittings at sea, it is not proposed to make any changes; but the matter will be kept in view, and should it be satisfactorily established that steel booms are in all respects more efficient than wood, the Admiralty will be prepared to substitute them for the wooden ones now in use.

MR. PICTON (Leicester) wished to know whether the weight of the boom was correctly given in the third paragraph of the Question?

LORD GEORGE HAMILTON: I am not aware that those figures are actually correct; but, no doubt, these wooden booms are heavier than steel booms.

MR. BRUNNER (Cheshire, Northwich) inquired, whether the noble Lord would give the names of the officials who were opposing the introduction of steel booms, so that a Motion might be made dealing with the question of their continuance in the Public Service?

LORD GEORGE HAMILTON said, it was most improper that Questions should be put to him for the purpose of advertising inventions.

SCOTTISH SALMON FISHERIES—LEGISLATION.

MR. A. R. D. ELLIOT (Roxburgh) asked the Lord Advocate, Whether he still intends to introduce during the present Session a Bill dealing with Scottish Salmon Fisheries?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): Her Majesty's Government have desired, in framing a Bill to deal with the Scottish Salmon Fisheries, to make it a thorough and complete measure. To do this has involved much labour and much correspondence with various parts of the country. The Bill is now practically ready, and it is the intention to introduce it this Session.

NAVY—PHOTOGRAPHIC CHARTING OF THE HEAVENS.

MR. CROSSLEY (York, W.R., Sowerby) asked the First Lord of the Admiralty, If the Government has approved of the recommendation of the Astronomer Royal and the Board of Visitors of the Greenwich Observatory, made both in 1887 and 1888, that a photographic equatorial refracting telescope be constructed for the purpose of taking part in the international photographic charting of the heavens; and, whether orders have been given for the construction of such an instrument?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The recommendation of the Astronomer Royal is under the consideration of the Government. There has been considerable delay owing to the necessity of having to refer twice to the Observatory at the Cape of Good Hope with regard to their requirements, it having been decided that the expenditure for the two stations should be considered together.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—THE COUNTY COUNCILS—PAPERS.

MR. CALEB WRIGHT (Lancashire, S.W., Leigh) asked the President of the Local Government Board, If he can inform the House when the Papers showing the number of County Councillors to be elected by the respective County Divisions will be distributed to the Members; and, whether the population of each Division will also be given?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The Local Government Bill contemplates that the number of members of the County Council should be fixed by the Local Government Board. Our proposals in this respect have been printed,

and a large number of copies placed in the Vote Office, so that any Member may, on application, obtain a copy. The Electoral Divisions are to be determined in the case of a borough returning more than one member by the Town Council of the borough, and in the case of the rest of the county by the Court of Quarter Sessions. Each Electoral Division is to return one member; and until these Divisions have been constituted no particulars can be given with regard to them.

WAR OFFICE—FORTRESS ENGINEERS AT EDINBURGH AND LEITH.

MR. BUCHANAN (Edinburgh, W.) asked the Secretary of State for War, Whether the decision against the formation of the corps of Fortress Engineers at Edinburgh and Leith, as proposed in the Estimates, has been arrived at in consequence of difference of local military opinion on the subject; whether this opposition is due to any lack of men willing to join the corps; whether the Military Authorities at the War Office are still favourable to the formation of such a corps, and whether its formation is an essential part of the scheme of defence of the Eastern Coast; and, whether, in view of the public interests involved, he will still endeavour to carry out his original intention.

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): The decision against the formation of the corps was arrived at on the advice of the Local Military Authorities. Its formation, though not essential to the defence of the Eastern Coast, would have been desirable; but, in view of the local objections, I did not think it advisable to approve its being raised.

EVICTIONS AND PAUPERISM (SCOTLAND).

DR. CLARK (Caithness) asked the Lord Advocate, Whether it is the case that correspondence has taken place between the Secretary for Scotland and the Sheriff of Caithness as to the relation between evictions and pauperism, and between the Secretary for Scotland or the Sheriff of Caithness and various Inspectors of Poor or Parochial Boards on the same subject; and, whether copies of the Correspondence will be laid upon the Table?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I have ascertained, on further inquiry, since my reply to the Question of the hon. Member some days ago, that at the end of March a letter was received by the Secretary for Scotland from a Mr. Waters, in Caithness, which was transmitted to the Sheriff of the county, with a request to report on it to the Secretary for Scotland. In making inquiry to enable him to furnish this Report, the Sheriff has, I understand, communicated with certain Inspectors of Poor. No Report has yet been received; and I cannot give any undertaking as to the publication of the Correspondence until it has been sent.

POOR RELIEF (SCOTLAND)—POOR LAW ACT, 1845.

DR. CLARK (Caithness) asked the Lord Advocate, Whether, since the passing of "The Poor Law Act, 1845," about £964,000 has been collected by the Kirk Session, but only about £378,000 applied to the relief of the poor, over £500,000 having been applied to other purposes; whether, during the year 1886-7, £38,746 was collected, and only £8,484 expended for the relief of the poor; have the Kirk Sessions reported to the Board of Supervision; and, whether the Government intend to take any measures to insure that the whole of the collections should be applied to the relief of the poor as prescribed by that Act?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities), in reply, said, he had not the information to enable him to answer the Question at present, and he must ask the hon. Member to put it down again.

SUGAR BOUNTIES—DECISION OF THE CONFERENCE.

MR. LABOUCHERE (Northampton) asked the Under Secretary of State for the Colonies, Whether he is in a position to give any information as to the decision arrived at by the Sugar Bounties Conference; whether an opportunity for discussion will be afforded to Parliament before definite action is taken; what is the total estimated amount of the bounty on foreign sugar imported into this country; and, whether it is proposed to

impose countervailing duties for the protection of sugar coming from British Colonies?

THE UNDER SECRETARY OF STATE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): I am not in a position to give any further information as to the progress of the negotiations concerning the abolition of sugar bounties, which are still the subject of diplomatic correspondence. With regard to the second Question, if legislation should be necessary ample time will be given for considering and discussing the Convention before such legislation is introduced. As to the amount of bounty on sugar imported into this country there is a great difference of opinion on that point, the bounties mainly arising from the payment of drawback on sugar which has paid no duty. The figures could not accurately be stated without making a special Report on the subject. It would not be expedient to make such a Report now, as it necessarily involves questions still under the consideration of the Powers. The understanding arrived at by the Powers at the last meeting of the Conference prevents my making any statement, in reply to the fourth Question, from which any inference can be drawn.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—ABANDONMENT OF THE LICENSING CLAUSES.

MR. ERNEST SPENCER (West Bromwich) asked the President of the Local Government Board, Whether the abandonment of the Licensing Clauses of the Local Government Bill includes Clause 19, which gives powers to County Councils to increase licences 20 per cent?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): Yes; it is proposed to withdraw Clause 19 from the Bill.

CHELSEA HOSPITAL—GEORGE WILLIAMS, A PENSIONER.

MR. ARTHUR O'CONNOR (Donegal, E.) asked Mr. Attorney General, Whether his attention has been directed to the report in *The Times* newspaper of April 21 last of the case "*Ex parte* George Williams," in which application was made for a *mandamus* to the Governor and Commissioners of Chelsea Hospital to issue their warrant for payment to the applicant of certain arrears of pension; whether the Court, as therein stated, intimated their opinion that the applicant should get the *fiat* of the Attorney General for a Petition of Right; and, whether such a proceeding could be adopted without cost?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): I have referred to the report of the case mentioned by the hon. Member in *The Times* newspaper of April 21 last. As I understand, the Court did not express any opinion; but pointed out that the remedy of the applicant, if any, was by Petition of Right. It is the *fiat* of Her Majesty, and not that of the Attorney General, that is required in these cases. No fee is payable on the Petition to Her Majesty, to the Home Office, or to the Attorney General. If a Petition of Right will lie in Williams' case, he should present a Petition in the form prescribed by 23 and 24 *Vict.* c 34. He can present such Petition himself, or through a solicitor.

GREENWICH HOSPITAL—APPROPRIATION OF FUNDS.

SIR WILLIAM CROSSMAN (Portsmouth) asked the First Lord of the Treasury, Whether the opinion of the Law Officers of the Crown has been taken as to the legality of the appropriation of some of the funds of Greenwich Hospital, which, by the Charter of the Hospital, should be devoted to charitable purposes, to the payment of men of the Seamen Pensioners' Reserve Force, who are virtually a portion of the Effective Forces of the Crown; and, whether, if the question has not been submitted to the Law Officers, it will be?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Question as to the legality of appropriating Greenwich Hospital Funds to the payment of Seamen Pensioner Reserve has not been referred by the Admiralty to the Law Officers of the Crown, and there is no present intention of doing so. The Admiralty, as Trustees, are empowered under Act of Parliament (Greenwich Hospital Act, 1865) to grant such pensions as they may deem fit; but such pensions must be legalized by an Order in Council, and such an

Order has been obtained for the grant of these particular pensions, and therefore all legal formalities have been met.

RULES AND ORDERS OF THIS HOUSE—DIVISIONS.

COLONEL NOLAN (Galway N.) asked the First Lord of the Treasury, If the House could have an opportunity of considering whether it would be advisable to unlock the Library and exit doors of the Main Lobby immediately after the door of the House being unlocked during a Division, power to be reserved to Mr. Speaker to keep these doors locked for any special Division; in case of a disagreement between the Tellers, Mr. Speaker to decide without a second Division which telling should be accepted by the House as correct, using, if he considered it advisable, the Division Lists to decide the difference?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Government are not aware that the present manner of taking Divisions in this House has worked unsatisfactorily; and until the Government are assured that there is among the Members of this House a general desire for some change of the existing arrangements, they are not prepared to take the steps indicated by the hon. and gallant Member, which I am inclined to think might occasion considerable inconvenience to hon. Members.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—IMPRISONMENT OF MR. DILLON, M.P.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether Her Majesty's Government will lay on the Table of the House a copy of the record and depositions in the Court of First Instance and on appeal in the case of Mr. John Dillon, a Member of this House, sentenced on the 29th ultimo, at Dundalk, to an imprisonment of six months? I should be obliged if the right hon. Gentleman could answer me now; but if not, of course, I shall put the Question on the Paper in the ordinary way.

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I hope the right hon. Gentleman will not object to put it down on the Paper, as it is a matter of some importance, and requires consideration; and I would remind him that the course he asks the Government to pursue is not usual. I do not say that it is wholly without precedent. There are certain precedents for it, but they are very few and far between. The right hon. Gentleman is sensible that, although such a course may be justifiable in some cases, it ought not to be generally followed; and I shall be glad if he will give the special reasons why it should be done in this case; because, as far as I understand the matter, the points of law and the facts which were raised at this trial were of a very simple character.

MR. W. E. GLADSTONE: I fear that if I gave the special reasons now, it would be your duty, Mr. Speaker, to check me, so that I am afraid I cannot do so.

MR. PICTON (Leicester): I wish to ask the right hon. Gentleman whether he is aware of any other case in which a prisoner, condemned to six months' imprisonment, received, before leaving the dock, an address, signed by 150 Members of this House?

MR. SPEAKER: Order, order!

MR. JOHN MORLEY: (Newcastle-upon-Tyne): I should like to ask the Chief Secretary a Question in reference to an answer which he gave me yesterday afternoon. The right hon. Gentleman then told me — these are his words—

> "The Court of Exchequer in Dublin had said that there clearly was evidence of conspiracy at Common Law. I see by the reports in the papers to-day that the Court said there might be evidence, if it were furnished, of conspiracy at Common Law."

I wish to ask the right hon. Gentleman, whether his account last night, or the account which appears in the papers of to-day, is correct?

MR. A. J. BALFOUR: Of course, I answered the right hon. Gentleman last night from such telegraphic information as was at my disposal. I was not aware, when the right hon. Gentleman put the Question just now, that there was any discrepancy between the information which I gave him last night and the reports in the papers of to-day. I will, however, inquire into the matter, and give the right hon. Gentleman an authoritative statement with regard to it to-morrow.

SIR WILLIAM HARCOURT (Derby): A day or two ago I asked the Chief Secretary whether there was, or whether there would be, any other evidence of the Killeagh trial besides that which appeared in the reports in the public papers of that trial; and, after referring to the Irish Law Officers, he told me that he should be prepared to supplement the evidence which had appeared in the newspapers on that subject. I wish now to ask him whether he will supplement the evidence, as he said he would do?

MR. A. J. BALFOUR: Of course, I have not the slightest objection, if the right hon. Gentleman will take the usual course of placing his Question upon the Paper, to give him all the information in my power on the subject.

MR. T. M. HEALY (Longford, N.): Might I ask if the right hon. Gentleman would have any objection to laying on the Table also the Judgment of the Judges?

MR. A. J. BALFOUR: That is a matter as to which, of course, I will make inquiry.

MR. T. M. HEALY: I wish to ask the Chief Secretary, whether he will be able to say to-morrow how many prisoners are now undergoing terms of imprisonment in Ireland for taking part in a criminal conspiracy to compel or induce others not to do what the law gives them a right to do; how many of these prisoners there are; and, whether, as in the case of the Milltown Malbay prisoners who got six months for refusing to sell provisions, the Government will consider the sentences in the light of a recent judicial decision?

MR. A. J. BALFOUR: I do not know whether I can obtain the information which the hon. and learned Member desires by to-morrow; but I think that it is quite possible—at all events, I will do my best—to obtain it. But with regard to the action which the Government may take with regard to prisoners, I would point out that if they, or their legal advisers, think that they are wrongly sentenced, they have their remedy, and they are wrong if they have not appealed. There is no one more competent to know that that is the case than the hon. and learned Gentleman.

MR. T. M. HEALY said, that the sentences to which he referred had been confirmed on appeal.

LAW AND JUSTICE (IRELAND)—MR. KELLY, COUNTY COURT JUDGE OF CLARE.

MR. JORDAN (Clare, W.) wished to ask the Chief Secretary to the Lord Lieutenant of Ireland a Question, of which he had given him private Notice. Had the right hon. Gentleman's attention been directed to reports in some of the morning papers of a discussion which occurred at the Ennis Quarter Sessions yesterday, when Mr. Kelly, the County Court Judge of Clare, advised and instructed Colonel Turner, Resident Magistrate, as to the course he should pursue with reference to political meetings; and he would ask the right hon. Gentleman whether he considered the course taken by Mr. Kelly——

MR. SPEAKER: Order, order! The hon. Gentleman will give Notice of the Question.

MR. JORDAN: I gave the right hon. Gentleman private Notice to-day.

MR. SPEAKER: That is not sufficient for a Question of that kind. It depends upon the length of the Notice.

MR. JORDAN said, he had given the earliest possible Notice that day.

MR. SPEAKER: Order!

ORDERS OF THE DAY.

CUSTOMS (WINE DUTY) BILL.

(*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson.*)

[BILL 293.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. CHILDERS (Edinburgh, S.) said, that the existing system of Wine Duties was introduced nearly 30 years ago, after the total abolition of *ad valorem* duties on all imports, and wine of a low value was taxed at the same amount as wine of a high value. The system of imposing *ad valorem* duties not only in regard to wine, but in reference to many other articles upon which duties

were levied, had fallen into utter disrepute, and he could not help thinking that it was not worth while to revert back to that system, and disturb the Wine Duties for the small amount of revenue which would be obtained. The change would result in a great interference with trade, and would give rise to much heartburning and dissatisfaction. It was, therefore, a matter of great regret that Parliament should be asked to return, even as to one article, to a system which had been unanimously got rid of a good many years ago. He regretted that he was not present when the debate in Committee took place, or he should have tried then to give practical effect to what he felt it his duty to say now; but the discussion was not brought on until half-past 12 o'clock, and he had been told that it would not be taken after midnight. He was sorry that this change had been proposed by his right hon. Friend the Chancellor of the Exchequer, who had always been regarded as a sound financier, especially on questions of trade and revenue.

Question put, and *agreed to.*

Bill read the third time, and *passed.*

SUPPLY—ARMY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £1,410,000, be granted to Her Majesty, to defray the Charge for the Supply and Repair of Warlike and other Stores, which will come in course of payment during the year ending on the 31st day of March 1889."

MR. HANBURY (Preston) said, he had placed a Motion on the Paper to reduce the Vote by the sum of £1,000 in respect of Inspection and Proof of Stores, and the best authority which he had for the action which he was taking in the matter was the very able Report which had been presented by the Judge Advocate General himself. Another reason for bringing forward the matter was that amidst the glut of Commissions inquiring into every possible subject, the value of the information obtained was not even noticed by Ministers themselves. They had evidence of that the other day, when Lord Wolseley gave evidence before a Commission presided over by Sir James Stephen on the subject of the defences of the country, and yet the evidence given by Lord Wolseley did not appear to have been seen by the Prime Minister himself. A further reason was that while the right hon. and learned Gentleman the Judge Advocate General brought forward some astounding facts, he had sugared them over so carefully with excuses and apologies for the misdemeanance that he (Mr. Hanbury) hoped even the Secretary of State for War (Mr. E. Stanhope) would not object to his pressing the subject upon his notice. Seeing that the Judge Advocate General found that acts of the gravest character committed by the officials in the Store Department at Woolwich were done from the purest motives, he thought the right hon. and learned Gentleman would be glad if he were to press upon him that the public also had some little interest in the matter. It was well known that even the high officials carefully abstained from granting the stores which the public required, and yet had cleverly succeeded in obtaining rewards and pensions for themselves. What was it that the Judge Advocate General was obliged to report? He reported that the ordinary accoutrements, especially equipments for war and the saddlery supplied to the Army, were literally in a rotten state; go wherever they might in the great purchasing Department they would find the same grave scandals going on, and the officials prepared to make the same stale excuses. He would read to the House the character of some of the bad stores on which the Judge Advocate General reported. There were bad traces, bad saddle flaps, bad wallets, bad valises, bad saddlery of all kinds, and leather laces for sea service. The right hon. and learned Gentleman said that the leather was bad, and the stitching a great deal worse, unwaxed thread having been used, or, being waxed, the thread was bad. It must be recollected that these were stores which meant not only loss of money, but, if war were to happen, a much greater disaster—namely, loss of life in the Army and Navy. In addition to the stores he had mentioned there were many others, such as pack-saddles, most of which had straw in the place of hair, and what hair there was in them

was bad. Indeed, it was admitted that the hair in the pack-saddles was only worth half the price of the hair they ought to contain. These things were passed into Woolwich Store Department on an enormous scale. He was told there were 18,000 of these pack-saddles at one time or another; and of Cavalry saddles of one pattern—that of 1884—there were over 3,500. What was found worse than that was the fact that it was clearly brought out in the Report of the Judge Advocate General that the Government standard itself was very low for these things, and that they did not require for the Public Service the good article they ought to get. Not only was the supply bad, but the samples were bad also, because, bad as the samples were, the articles passed into Woolwich were not adequate to fulfil the low requirements specified. He had spoken hitherto of manufactured articles; but he would turn now to unmanufactured articles. Surely it was easy enough for the Government to procure unmanufactured articles of good quality. Nevertheless, the Judge Advocate General reported in regard to the hides passed into Woolwich—

"In the beginning of 1886, 11 specimens were selected. Having looked at a great many of the hides in the stores, I think the 11 taken were a fair sample, if not of the whole delivery, of a very large portion of it."

That was of all he had seen. What was the report of the Government as to the condition of those hides? In fact, the price of glucose had gone up lately in consequence of the quantity put into the Government stores. The best specimen showed 7·20 per cent of glucose, while eight showed over 20 per cent, and the two worst 25·20 per cent. The question arose—"How did such things find their way into the Government stores at all?" He was not dealing with a small amount of stores, but with stores passed in in large numbers, the badness of which in a case of war would involve a serious loss of life of our troops. But he would go further than that. He wanted to place the matter on the fairest possible ground, and, therefore, he would take the Government's own pet firm—the best firm on the list—and show how that firm did the work. He would take, too, not only the best firm dealing with the War Office, but the firm which dealt largely with other Departments of the Government—namely, Ross and Company, of Bermondsey. These were the words of the Judge Advocate General—

"They are now by far the largest contractors for supplying accoutrements to the Government. During the five years ending March, 1887, they have had 56 contracts and supplied 1,687,274 articles. The firm of Messrs. Ross get by far the largest share of business from the Government—in fact, three times more than any other firm."

This was only in regard to some portion of the contracts sent in, and referred simply to accoutrements. Messrs. Ross sent in an enormous amount of saddlery and other articles, and the contracts obtained by other firms were largely supplied by Messrs. Ross. The next largest contractors were the firm of Messrs Pulman, and it was in evidence that a large portion of the articles sent in by Messrs. Pulman were really supplied by Messrs. Ross. These two firms together supplied the Government at Woolwich with two-thirds of the whole of their requirements, and they did work not only for the War Office, but for the Post Office, the Colonies, and India. In regard to the Admiralty, a representative of Messrs. Ross was asked—

"Are they more particular at the Admiralty than they are here? No; the inspection is just the same.—They do not reject more there? No; the inspection is just about the same."

They had the fact that this large firm sent in to Woolwich a large quantity of goods for the Public Service; and yet, in regard to many of those goods, they were furnished by middlemen, notwithstanding that there was a distinct rule at the War Office that the articles supplied ought to be only bought from the manufacturers, and not from the middlemen. He could not see why that rule had not been observed in this case, and he thought the facts he had mentioned proved that there was no great reason why the Government should go out of their way to select middlemen. But, while they were middlemen in regard to all manufactured articles, they were also sweaters, and sweaters of the very worst kind. There had been startling evidence recently given before a Committee in "another place." Evidence had been given in regard to the accoutrements supplied to the Army by three firms, and every one of the witnesses singled out Ross and Co. as the very worst sweaters in Bermondsey.

John Thomas Morris, Army smith, said—

"The accoutrement business had come under his notice for the last 15 years. As secretary of the Saddlery Trade Society, he had seen the miserable results of the lowering of wages. He referred particularly to Ross and Co., of Grange Road, Bermondsey. The net result was bad work for the Government, hard work for the workers, and riches for the sweaters."

John Correy, harness-maker, stated that the practice was for Government contractors to get estimates from sub-contractors, and then give out the work to those who made the lowest tender. Ross and Co. began to employ girls in their place, to whom they paid less than the sweaters received. Arnold Whight pointed out that Bermondsey, the headquarters of Messrs. Ross, the hours were from 6 a.m. to 10 p.m. He also declared that Messrs. Ross were the worst sweaters he was acquainted with. Other sweaters paid men 3*s.* 3*d.* for blocking and sewing 12 cartridge pouches for the Navy. It took three and a-half hours to make one. Ross had them made in his workshops for 1*s.* 9*d.* a dozen by women. The thread was inferior, because the workpeople had to buy it. The Government, as a rule, ought to be very careful how they gave out these contracts, and should make them only with the men who did the work. The Director of Contracts knew very well what he was doing, and that Government official himself said in his evidence—

"The specifications describe the very best sort of leather, and I think there is no doubt whatever that such a kind could not be purchased for the prices the Government pay."

It came out in the evidence of Mr. Southey that at the time of the Crimean War the best kind of leather was supplied to the Government. Now, the Ordnance Department, in their specifications, describe the very best class of leather, but take it at a price at which no manufacturer could possibly sell it at a profit. Even sweaters would not oblige the Government out of pure patriotism.

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) said, he understood the hon. Member intended to confine his remarks to the hides.

MR. HANBURY said, he was referring to the hides. The Government official called it leather, whether it was hides or not; but even the sweaters did not send articles in at a low price in order to oblige the Government. Nor were they passed in by the Government viewers out of the highest and purest motive. All this was a question, as the Judge Advocate General said, not of motives, but of facts. The best course was to judge by the facts, and when the facts were ascertained, to see whether the motives were of the true and high character which the Judge Advocate General maintained they were. How was it possible for goods such as these to be passed in wholesale from such a firm as this? He would show how some of the firms were treated by the Director of Contracts. One of the witnesses said they got special orders; whenever anything was wanted in a hurry, they went to Ross's. That meant that for anything that could not be carefully inspected, they were to go to Ross and Company. Of course competition was sometimes necessary. The job would be far too great if these things were always got in a hurry. But, then, Ross and Company were placed upon a limited list of firms. He protested against such an arrangement, and he hoped that in future the House would insist that there should be no such thing. But Ross and Company were something more than put upon a favoured and limited list of contractors. They had special knowledge; and in dealing with a Government Department, knowledge was power. They knew the fashion in which the Government work was conducted. They were acquainted with some of the peculiarities in the work, and they were well aware of the strength and unbusiness-like fashion in which the Government did this work. Moreover, they were acquainted with their own special manner of passing into the Government Establishments their own bad articles. He would give an instance to show some of the special knowledge they had. As old contractors, they were acquainted with the fact that the specifications, according to which articles were ordered, the sale pattern, and the sample according to which they were to be tested, were very different things in these wonderful Government Establishments. They also knew the fact, which outsiders did not know, that though these specifications were excellent, they were in many cases

obsolete; they were never taken notice of, and never came before the men who had to pass in and test the articles. He would take a case—the case of hides, which was quoted by the Judge Advocate General himself—which was the question the Secretary of State for War was anxious he should lay stress upon. In the case of hides the Judge Advocate General said:—

"Prime, sound, English-dressed leather, oak bark tannage, clean, level, of good colour, well shaven, dressed, and in a perfectly dry state."

That was the kind of thing we had to pay for, or rather ought to pay for; but what, as a matter of fact, was the thing passed in at the Government Establishments? Two experts pronounced a sealed pattern as "shocking and could not be worse; wretched, and as bad as anything could be." What did the Judge Advocate General himself say in regard to a particular sample? He said—

"It had been in use since 1872, and had evidently received rough handling. There were a good many of what were called butcher's cuts in it, and also warble holes—that was holes made by grubs in the cattle."

That was the kind of article sent in as saddlery to the Government Establishments and tested by viewers. There was a sealed pattern kept by the Government; but he was told that, as a matter of fact, in many cases, where Ross and Company passed in their goods, the sealed pattern had not been taken at all, but that the sample was taken from the list supplied by the contractors themselves. Even that was not enough, and outsiders were altogether unable to know that the rules were being broken. There was one thing upon which the Judge Advocate General had reported strongly. In some instances the Government viewer had to plod wearily through every single article. It was not sufficient to examine one, and if it was bad to decline to take the rest; but if the viewer found that the first 20 were bad, he had still to go through the whole, before he would be justified in rejecting a single one. In the case of hides, there was a rule that every one of them should weigh from 22 lbs. to 23 lbs., that was to be the average weight; but, as a matter of fact, the hides were weighed in a lump, with the result that some of them only weighed one-half what they ought to have weighed. What did the test of weight mean? It meant that their quality and condition should be properly ascertained; but one quarter of them had the weight made up to a large extent of glucose. The only test of that glucose in the Government Establishment was its weight. There was no chemical or scientific test whatever at the contractor's own works, nor was there any scientific test at the Store Department of the Government. The Government officials were not even allowed to put a practical test to the hides when delivered, in order to ascertain the quantity of glucose, although some were as full of glucose as they could well be, as was plainly observable from the sweet smell of the sugar. When tasted, some of these hides were as sweet as sugar; but the officials of the Ordnance Department maintained that they should not be so tested, and the hides were continued to be tested by weight, instead of any more scientific test. He thought that showed pretty well the system under which these articles were passed in. He would now show the way in which the system was administered. Everything depended upon whom the people were who tested and viewed the articles whenever the contractors endeavoured to pass them in. The Inspector who was responsible for these things was a man who had been brought from the office of the contractors themselves. He had been in the employment of the contractors ever since he was a boy, his father had been in the same employment for 30 years, and he had a brother-in-law also connected with the firm. And that was the man brought in as Head of the Department to inspect the goods passed in by Ross and Co. Not content in making him Inspector of the articles sent in by Ross and Co., contrary to all precedent he had a double appointment given to him, and was made Inspector of Saddlery, so that he had to inspect the saddlery sent in by the same firm of which he had been so long a servant. It might be thought that this man had been brought in to inspect the contractor's work on account of great knowledge and technical skill in that direction; but, on the contrary, as a matter of fact, the man, to begin with, was of no education at all. The Directors of Contracts, Mr. Nepean, said he thought that this man, Mr. Spice, was not sufficiently educated for the appointment. Then, possibly, he was a

man of technical knowledge and had a large acquaintance with the kind of articles he had to inspect. As a matter of fact, the Judge Advocate General himself had an opportunity of speaking of Mr. Spice's merits, and Spice himself had carefully passed over and had refused to appoint as viewers, two men who were responsible for bringing these scandals to light. He had passed them over, on the ground that they were not fit for the work, and had made them deputy viewers. But the Judge Advocate General said that the opinion of the men he had refused to appoint was worth a great deal more than the opinion of the Inspector himself. They were told that it was necessary to go for an Inspector to Messrs. Ross, because buff articles were brought in under the head of accoutrements, and, therefore, it was necessary to go to one of the five firms which supplied buff articles, in order to get a knowledge of buff. But, unfortunately for that contention, while Spice was at Messrs. Ross's, he had nothing to do with buff at all, but had only been foreman of the men who cut out black leather—a totally different thing in every possible respect. Then, how came such a man as this to be appointed? because he thought it was a matter the Secretary of State ought to follow up. It was a matter of importance to ascertain who was responsible in a Government Establishment for appointing a man to test articles who came from the contractors who supplied the articles, and who was proved not to have the special knowledge that was absolutely necessary for the discharge of that duty. It was highly desirable that they should trace home the responsibility to the man who had appointed him. The Judge Advocate General in his Report, too, carefully screened the head man of all, the Director of Contracts. The Director said that he did not recommend this man. Now, he (Mr. Hanbury) did not wish to put his own gloss upon the matter, but he would read two answers which had been given in the evidence. It would appear that, when the appointment was decided upon, there were 47 or 48 applicants. This was Question 4,207—

"Forty-seven or 48 is what has been stated in evidence; you say 48?—About that number.

4,208. What happened next?—The replies to the advertisement were then sent by me the War Office and were passed by the Director of Artillery and Stores to Mr. Nepean, the Director of Contracts. From the names submitted, he selected five, Spice being one; but he did not recommend Spice; he thought that he was not sufficiently educated for the appointment. The five names were then sent to me for my report, and I have brought here with me a little memorandum, which, perhaps, I might refer to, showing why these different people were rejected. (The witness referred to the memorandum.) The five names which were selected and sent to me were Spice, Thompson, Mayne, First Class Staff Sergeant Hawkins, Army Service Corps, and R. May. Then Mr. Nepean reported that, failing the four latter names, he saw no alternative but to fall back upon Spice, but he did not altogether concur in the appointment. Then Thompson we knew nothing about at all."

Now, Mr. Nepean was Director of Contracts, and he wanted to know why on earth the Director of Contracts, whose duty was simply to give out contracts, should interfere, either directly or indirectly, in the appointment of an Inspector, whose duty it was to ascertain whether the articles were good? The man who gave out the contracts ought to score the discharge of his duties there, and should have nothing more to do with the matter. Certainly, it was improper that he should interfere in the appointment of a man in the position which Mr. Spice held, and especially that he should appoint a man who had long been in the employment of the firm which supplied the contracts. This was how the appointment was made. From the 48 names, Mr. Nepean selected five; one of them was Mr. May, who was working at Messrs. Ross at that moment; another man was Mr. Mayne, in the employment of Almond, who had the Indian contract; the third was a man named Thompson, of whom Mr. Nepean said he knew nothing whatever; the fourth was Hawkins, of whom the Judge Advocate General had very unsatisfactorily spoken. Spice was the fifth. Having selected these five, the Director of Contracts said that he had no other choice than to fall back upon Spice, because none of the rest were good for anything. Therefore, he reluctantly felt bound to appoint Spice, although he did come from the contractors who supplied the articles. That was how the matter was worked. It was not sufficient, however, to have an Inspector who came from Messrs. Ross. It was also necessary that a great number of viewers who worked under him should also come from the same firm of contractors. No sooner had Spice

received the double appointment of Inspector of Contracts and Inspector of Saddlery, than he set about to get active viewers brought in from the firm of Ross and Co. The first man of those whom he appointed as viewer was a man named Hawkins, who had been dismissed from Government employment some years before for having, while in their employment, taken subcontracts with a man named Curtis from Ross and Co., and carefully arranged that his own goods should be passed into the Government Departments. It was upon that ground that he was dismissed, and the Judge Advocate General mentioned the extraordinary inability of Hawkins to tell the truth, and declared that his evidence was extremely unsatisfactory. Hawkins was described by a quartermaster as a man whom he would not trust a snap of the fingers. Now, Sergeant Hawkins was the only man dismissed by the Government in consequence of these scandals; and he was told, although it was hardly credible, that the man had appealed to the Secretary of State, who had sent him back again. Was that the fact?

MR. E. STANHOPE said, he was not prepared to interrupt the hon. Gentleman until he rose to reply to the whole of his speech.

MR. W. P. SINCLAIR (Falkirk, &c.) asked, would the hon. Member for Preston inform the House when the first appointment of Spice had been made?

MR. HANBURY said, he had been in the employment of the Government for some years, commencing about 1880. In addition to Hawkins, there was a man working under Messrs. Ross as a sub-director and assistant to the Commissary General, Colonel Rawnsley, who had himself described this man as a sweater of the very lowest type. In addition, there was a man named Biden, whose father was working at Messrs. Ross's at the time of his appointment, and who himself came from the same firm. Not content with the appointment of these men as viewers, other persons were brought in to act as temporary viewers—such as Lawson, Pipe, and Woodbridge, one of whom was a nephew of Spice, and knew nothing of the work he had to inspect. Even that was not enough. It was not sufficient to have these men passing in the Government goods, but the rule which was observed in all other Government Establishments in order to provide a check was broken in this instance. In other Government Establishments the viewer was required to put his mark upon the goods which he passed, so that if bad things were passed in there would be some responsibility, and it would be known who passed them in. But in this blissful Establishment there was nothing of that kind; no viewer was required to put a mark upon the goods, and the result was that bad things were passed in, and there was no responsibility whatever. But that was not all. It was not sufficient even to do business in that way, and he should have to go a little further than that. As a rule, he was told that manufactured articles, such as collars, should be sent in half-made, so that the authorities should be able to see whether they were stuffed with straw or hair, and in that way ascertain whether the Government got the things for which they paid their money. That rule was invariably broken in this Establishment. One of the witnesses named Chase said that the specification required the contractor to submit collars in a half-finished state, without hair, facings, and cream-coloured duck lining. These were not submitted, because women took them away to sew the cream drill linings on, and returned them to be stuffed. Things were therefore passed in without any opportunity being afforded to judge of anything except the outside, and in that way collars stuffed with straw instead of hair were sent in. The ingenuity manifested by the Government contractor and the officials working together was positively marvellous. In many instances, the viewers actually went to the contractor's own yards in order to pass the things in. Of the 3,500 saddles of the pattern of 1884, 1,000 were passed at Ross's own works. One of the witnesses was asked to pass them, and his reply was that Mr. Plunkett went down to pass them; but Mr. Plunkett was not an Inspector of Leather at the time. Captain Plunkett had been Inspector of Saddlery, but had been superseded because he was not up to the work, and for other reasons. But when it became necessary to pass 100 of these 3,500 new saddles, Captain Plunkett was found good enough to be called back and sent to the contractor's own works, and Captain Plunkett, a superseded official, actually passed

them in. But the story did not end there. It was not sufficient to have the contractor's own men in the Establishment, but it was necessary to have a contractor himself present in the Department. One of the witnesses, Dunn, said that Mr. Tomlin, the principal partner in the firm of Messrs. Ross and Company, was continually there. Chase, another witness, was asked whether Spice sent for him to show what was rejected, and his reply was—

"Very likely; he has been in three or four times a-week, and up in Spice's office; we generally used to leave him in the office with him."

The same witness was asked—

"Used he to watch you viewing?—He used to come round the shop.

When things were being viewed?—Yes.

His own articles?—Yes.

Did you condemn them a third time?—Yes. I condemned them till I did not see any more of them; we had heaps of them each side of us. Mr. Tomlin came to Embledon's board, and he said: 'If you go on in this way you will ruin us.'

That is to say, if you went on rejecting the bed straps?—Yes.

Who did he say that to?—He said it for all of us to hear.

Did you hear it?—Yes; I could not be off hearing it."

So much for the relations between the contractors and the Government officials. The Judge Advocate General very innocently said there could have been no jobbery possible, because when he came to look at the Return he found that Messrs. Ross had almost as many articles rejected by the viewers as other contractors. Now, that statement required a little examination, and he thought it would be found that it told in a different direction. In the first place, it was apparent, even to the meanest intelligence, that it was necessary to have a fair proportion of goods rejected, or else even the authorities in the Government Establishment might get suspicious. In addition to this note, he might mention that Ross and Company were not the only firm who had viewers from their own works inside the Government Establishments passing in their own goods. At the moment the Judge Advocate General was holding his inquiry down at Woolwich, Colonel Barrington said that Messrs. Masons had been written to, by the permission of the Secretary for War, for a viewer, and they had sent a viewer from their own establishment. This was the firm who had supplied 400 of the very worst Indian pack-saddles. When the Judge Advocate General said that the rejections took place in almost equal quantities, whether they came from Ross and Co. or any other firm, he forgot to mention that they were primary rejections only. It by no means followed that goods rejected the first time were not again sent in and passed into the Government Establishments within a very few days of their rejection. If there was one thing to be gathered from the Report it was that the inspection was so carefully arranged that the primary rejections in hardly any case became final rejections. What happened? How was it possible to prevent these articles from coming in again? The rule of the Establishment was to mark them with chalk. He should have considered it better to have marked them with something more durable than chalk, and something that was not so liable to be so easily rubbed off. Question 991 was this—

"Mr. Spice used to come round with Mr Tomlin; he used to come down the shop and look at us. This note (invoice) of bed straps, for instance, he came down and actually told us not to mark them—it would be such a job to get the chalk mark out.

Who told you that?—Mr. Tomlin, one of the partners at Ross's.

Do you mean that he comes to the shop?—He has come down to the board where we are sitting.

What did he say to you?—He told us not to chalk them too much, it would be such a job to get the chalk marks out.

Did he mean you not to mark things that had been rejected too much, so that the chalk marks would not come out?—Yes.

Mr. Tomlin came and requested you not to put too much chalk on?—Yes.

What did you understand by that?—Because they were apt to come in again; these notes have been in over and over again with our own chalk marks on these bed straps. Even if rejected they were done up in the Department itself at the Government cost.

Are there any other matters that you would like to draw my attention to?—There is one thing which I wish to mention, to show that there is a little favouritism with regard to Ross's firm. On three Saturday afternoons we were put on overtime.

What year are you speaking of?—1885.

What month?—About March. On three Saturday afternoons we were altering a lot of pouches; we were doing this for Ross's firm; they had been passed in by somebody else before we we went there.

Let me understand; they had been passed in by somebody else, you say?—Yes.

You were altering them in the Government collar-maker's shop?—In the inspection branch.

Do they work in the inspection branch?—Yes, we did anything we were told to do; we were sent over there to assist; we did not know whether it was our duty or not.

Is it the rule that anybody should be there to alter things that had been sent in?—No.

But it is done?—Yes. There is a class of men picked out for those jobs.

Who picks them out?—I suppose the Inspector.

Mr. Spice?—Mr. Spice; he was in charge at the time. Whether he has ever asked them to do it, or whether they do it themselves, I cannot say.

Things come in which are not up to sample, or would not be passed, and which would require some alteration, and a man in the Government employ is there to alter them?—He is not there to alter them; but he does alter them.

Can you tell me the name of any people who do that?—I have seen Woodbridge do that.

Any other?—No. I have done a few myself when I have been told."

But even that was not sufficient to insure that the primary rejections were ultimately passed in. If articles were rejected by one viewer, they were carefully passed over to someone who came from Messrs. Ross's firm, or who had got a father or a brother or some connection there. Here was some evidence in regard to frogs—

"Question 710. Then the next is 'Frogs, sword bayonet;' the number at the side is 7,690 (No. 1 book) 'Ross' (at the top) '125 defective, bad work and material'?—Yes; those were frogs. I called Spice's attention to it, and he told us to reject them. We did so, and when we went to breakfast he had them given to Biden; he is an ordinary viewer; they were given to him, and he passed them.

Are those the 125?—Yes.

Those 125 you rejected?—Yes.

Did you do it by yourself?—No; Chase was with me.

Did Chase agree with you?—Yes.

That they should be rejected?—Yes.

Why did you reject them?—Because they were badly stitched. I told Spice that it was some youngster that was half-time at school had done the work, that no man could have done it.

Colonel Barrington: These were frogs?—Yes.

The Judge Advocate General: You called Spice's attention to that?—Yes.

Did he agree with you?—He told us to condemn them, and when he went out to breakfast he gave them to Biden, and Biden passed them.

You have no doubt about it?—Not a bit. Chase will say the same."

That was how the inspection was managed. But there was another way also in which it was done. Sometimes goods were sent in and rejected, and subsequently taken in at reduced price. He maintained that that ought not to be the case. If they were not good enough to come up to the Government standard, which was bad enough in itself, do not let them have these shoddy things taken in at reduced prices. He was told that not long ago at Pimlico a number of helmets were taken in at reduced prices because there was a quantity of brown paper in them. If they were not passed, they were sent to the contractor to be re-dressed. What did that mean? It simply meant that part of the glucose was taken out, they were never re-weighed, and consequently the full price was paid for that which was half the weight it ought to be. If it were not found safe to send in things within a short time, they were put by for a year or two, and sent in under a new contract. That might sound incredible; but it was, nevertheless, the fact. In Question 415 the Judge Advocate General asked—

"Was anything else passed which you say ought not to have been passed?—Yes; a lot of things. For instance, there were 500 pouches sent in.

Can we identify those pouches?—It would be very hard to do so.

Colonel Mills: In what year were they sent in?—January, 1886, I think. I was told that the contract was given out on the 16th of January, and the things were sent in about a fortnight after; they were very bad when sent in; but they had been laid by in the store a couple of years; in fact, they were old rejections just done up a bit, and sent in again. Biden was senior to me, and I drew his attention to them; I said they were not fit to be passed in, and he drew Spice's attention to them, and he said, 'There is an order from the War Office that they are to be inspected.'"

The way in which these facts became known was, that in a subsequent year, when a fresh contract was being made, these things were sent in bearing the mark of 1884, and showing that they had been sent in at that time. This was not the mere evidence of one or two viewers, or discontented men at Woolwich, but it was borne out literally, and year after year, by the Assistant Commissary General (Colonel Rawnsley), who complained of the way in which rejected goods were sent in. In question 2,825, he was asked by the Judge Advocate General—

"I understand you wish to add something to what you have said before?—I wanted to bring to your notice a matter we have to contend with sometimes in the inspection branch, and I think

it is pertinent to the subject of this inquiry. We find at times that when articles have been rejected they are sent in over again. They are sent in under two different circumstances; one is when they are rejected for certain faults which can be remedied; the other is when they are rejected for faults which cannot be remedied. I divide them into two classes. I take, first, rejections for faults which can be remedied. We find sometimes we get those articles sent in over again without any attempt being made to rectify them; that is bad enough; but we find what is worse than that, that sometimes when we reject articles for faults which cannot be remedied we get those articles in over again. We have known that that has actually taken place by private marks which have been placed upon those which we have rejected, because we have had a suspicion that they might perhaps come in to us again; and I think you will see that it places the inspection branch and all the inspecting staff in a most invidious position, because if by any oversight or anything unforeseen, any one of those articles should be passed, an unscrupulous contractor might at once say that the inspection branch was most inconsistent, that we accepted one day what we rejected a week or two before; and not only that, but the whole staff have to waste their time going over all those articles again, which, in fact, have already been rejected. I submit with all respect that it is a question for the consideration of the authorities which have to deal with these matters, whether some drastic measures should not be adopted to put a stop to this on the part of contractors by the infliction of some punishment which might be decided upon by the authorities who have to deal with these matters, either by removing them for a time from the list of contractors, or striking them off altogether, according to the magnitude of the offence."

He had two remarks to make upon that matter. The first was that the punishment suggested by Colonel Rawnsley would by no means satisfy him, because he held that when people sent such stores to a Government, upon which the lives of the troops, and even the safety of the country, depended, it was not enough to strike them off the list of contractors, or even to dismiss them, but a Bill ought to be brought in by the Government inflicting on them a very heavy penalty indeed. Colonel Rawnsley deserved little credit for giving this evidence before the Judge Advocate General; he ought to have given it before, and brought the whole of the facts. Why did they not have punishments of this kind inflicted? Because it was a high official of the War Office himself who was largely responsible for these things. The high official who gave out the contracts was himself the man who appointed as Inspector a person who came from the contractors themselves. Why was it that even Colonel Rawnsley was not able to prevent these articles from being sent in again? He would not put his own gloss upon the matter, but would give the evidence of Mr. Tomlin, the contracter. The witness Chase said—

"There are other things I have seen passed in. I saw Mr. Tomlin, Ross's manager, come down there and complain about the things we rejected—rifle pouches. He was allowed to take them back and rub dubbin into them to soften them. They were rejected as being hard and heavy, and he sent them in again."

What do you say to that?—That if Mr. Spice had not allowed me to do that, I should have appealed to the Director of Contracts?

On what ground?—I should have taken them away, dubbined them, sent them back again, and asked for them to be re-inspected, and I should have beaten the department.

Supposing that you send in articles at first which are not up to sample, is it not right to reject them?—Certainly.

Were not these up to sample?—They were hard. They were up to sample when they came back again.

That is not the point. Were they up to sample at first? I say that if he had not allowed me to re-deliver them, I should have appealed to the Director of Contracts."

Here they had this remarkable mention of Mr. Nepean, the Director of Contracts at the War Office, who found that was not sufficient. In order to prevent the possibility of tracing bad things from such a firm as that, when they once came into the Government Establishment, what happened? He took the case of hides, for instance. After they had been for two months in a Government Establishment, they were so badly stored that it was utterly impossible to tell the condition in which they were sent in, and, therefore, it was impossible to trace any defects home. The Judge Advocate General reported as follows:—

"In considering the case of these hides, it transpired that those in charge of them keep them in store in a way that is universally condemned by everyone acquainted with leather. Properly, hides in store should be laid flat upon one another. In the stores at Woolwich the hides are rolled up in a round form, and then stand on one end. All the expert witnesses expressed their strong disapproval of keeping hides in store in this fashion, and it is singular that, though Mr. Crutchley told us that he had complained about it lots of times to the Inspectors, it had continued the practice for 20 years."

It would, therefore, be seen pretty clearly that even if bad things were passed in, and a disturbance was made

about them, it was afterwards impossible to find out whether at the time they were passed in the articles were good or bad. There the story ended; but he thought the Committee would be anxious to learn what view the War Office took in the matter. It was not ancient history, but the system was going on at Woolwich to this very day; nor was it the case of a few things having been delivered in. The Secretary for War might tell him that some of the things were sent in at the time of the last panic in 1885. Some of them might have been, but many of them were not. Take the case of the hides. They did not buy unmanufactured articles in a time of panic, but manufactured articles. Therefore that argument went for nothing. What had been going on at Woolwich with regard to these transactions, and how had the facts come out at all? It was because two men named Dunn and Moody, workmen in humble positions, could not stand by and see such scandals going on. They, therefore, disclosed them to their superiors, who had not the patriotism to bring them before the public; and how did the Government officials treat these two men who were honestly trying to do their duty towards this Government Department. He had already shown how the Director of Contracts had treated them, and he would now show how they were treated in the Department itself. What did Commissary General Moloney say to them when they went to him to complain? He told them—"It is no business of yours; I am responsible and not you." However, these two honest men persisted, and what happened? One of those Departmental Committees, of which they heard so much, and which, he was sorry to say, the Government paid more attention to than to all the independent Commissions and Committees which ever sat — a Departmental Committee was appointed to inquire into these articles, and Spice, who was one of the men against whom the complaint was made, was one of the first persons appointed to test them. The report sent to London was that the two workmen had made frivolous complaints, and they were reprimanded accordingly. When the Judge Advocate General held his inquiry, the original complaint was examined into, and the Judge Advocate General himself said, that so far from being a frivolous complaint the articles in question were disgraceful, and he was astonished that the Woolwich officials had not taken up the matter sooner, as they ought to have done. But that was not nearly all. The contractors must have their little spite against these men. The first thing they did was to send down two detectives belonging, he was told, to a Government Department itself —two men named Kendle and Stammers —who made false charges against these men—a charge of drunkenness against Dunn and embezzlement against Moody. The Judge Advocate General inquired into those charges, and found that there was not a particle of justification for them. But the contractors were not satisfied; they knew that there was another inquiry to be held, and they got their lawyers to send threatening letters to the men, threatening them with a law suit and an action for libel. He was thankful to say that the men were brave enough to face any inquiry. This was the letter that was sent to Dunn and Moody—

"4, Bloomsbury Square,
7th July, 1887.

Sir,

We have been consulted by our clients, Messrs. Ross and Co., of Grange Mills, Bermondsey, with regard to the following matter. They have been informed that you have in league with others maliciously damaged certain of their goods after they have passed official inspection, your object being to fabricate evidence that our clients have supplied inferior goods to the War Office, and that the inspector in collusion with them has improperly passed such goods. We have, therefore, to demand from you, in the course of to-morrow, a full explanation of the matter, or in default, we shall commence criminal proceedings against you for conspiracy, or such other proceedings as we may be advised.

Yours obediently,
Ford, Lloyd, Bartlett, and Micklemore."

No notice was taken of that, and up to March of the present year the same contractors went on supplying goods to the Government Department at Woolwich. But it was not only the contractors who punished the men; they were charged with having acted against official etiquette and official rules. The Judge Advocate General said in his Report that the men Dunn and Moody, who acted as viewers, were men of intelligence, who thoroughly understood their work, and that it was a grievance to them that they had men put over their heads as overseers who had no idea of

the work, and who had been brought in from Messrs. Ross's. And as distinctly as any man could recommend promotion, the Judge Advocate General recommended that they should be appointed permanent viewers, because they knew their duty and had done their work well. Yet every means had been taken, and the regulations had been strained by the Woolwich Department, to prevent these men being viewers; and, in spite of the recommendations of the Judge Advocate General, they were doing exactly the same work at the same pay as when they disclosed these scandals. He did not know who was responsible for it, but he was about to speak of the shabbiest and meanest trick that was ever played by a Government Department, and he devoutly hoped that the Secretary of State in his reply would be able to repudiate all responsibility for it. Here were two men who had done their duty boldly and at great risk to themselves; one of them was called as a witness before a Committee sitting in "another place"; he gave valuable evidence as to the way in which accoutrements were supplied to the Service; on that Committee there sat a Government official, Lord Onslow; and what did he say? In this matter the noble Lord could have no official information of his own, because he was attached to the Board of Trade as Under Secretary, and he must have derived his information from other sources. Lord Onslow asked this man if he had ever been subjected to the ordeal of a court-martial and punished for having refused to obey orders and telling a lie. In the first place he (Mr. Hanbury) said it was a dirty thing to rake up that incident in the career of a man because he had been the means of bringing to light scandals which had reflected so badly on his superiors. But it did not lie in the mouth of the War Office to bring a charge of the kind against that witness. He was a man who had served in the Army 22 years; he had served his country for six years after the charge was brought against him, and not only that, but he had left the Army with as good a character as any man could have, and with a pension which he had drawn up to the present time. He had also been taken on at Woolwich because he was a good workman, and had been through the furnace. He said, even if there had been anything in that charge it would have been a shabby and dirty trick to rake it up after such a lapse of time. But there was nothing in the charge. In the first place, all that this man had been charged with was having neglected to obey the order of a certain riding master. When he was charged with neglect of duty in that respect, he said that he had never received the order—that was the charge and that was the lie alleged against him. The riding master soon after left the regiment, and that man had since undergone one month's imprisonment in one of Her Majesty's gaols. Therefore he did not think the charge was one which the Government ought to have brought forward to try to punish him for having done his duty to the public—because doing one's duty to official superiors and doing one's duty to the public was not always the same thing. How had the Government dealt with the men who were responsible for this state of things? Had they dismissed anyone? Was Mr. Spice, the head of the Inspection Department, dismissed? No, he was there at the present moment. Were the men who were his superiors, and who were responsible for the specifications and samples, and who knew all that was going on, dismissed? On the contrary; no change had taken place. Yes, one change had taken place. The veracious Sergeant Hawkins had been dismissed. But what had happened? This person had appealed to the Secretary of State for War, and had gone back to the Department in another capacity. The contractors, he was told, had been struck off the list; but contractors had a bad habit of getting their work passed in under another name, and he was told that Messrs. Ross were doing exactly the same work as before, although their name had been struck off the Government list. It was true that another punishment was to have been put upon them; the bad hides were to have been sent back. But there were only 169 in stock, and it was stated that some which were at out-stations had not been sent back, but used for fenders in the Navy. Only 169 hides were sent back, and he was told that the pack saddles, ordinary saddles, valises, wallets, and straps which the Judge Advocate General condemned as being so bad, were, with the exception of those which were gradually

being supplied to the Army when wanted, at Woolwich at the present hour. But they were kept so carelessly that it was somewhat difficult to distinguish them from other stores, and he had no doubt that if a war or panic were to arise they would be served out to the troops, and that some great disaster would result. But it was not only that the men had not been dismissed; they had been actually promoted. They had seen how the humble workman was punished for doing his duty, and they now saw that those who had not done their duty were promoted. Colonel Barrington, who was responsible for the bad articles being sent in, had been promoted to a higher salary, and not only that, but two assistants had been created to help him in doing his work. Then, again, there had been other appointments. There had been complaints with regard to the Inspector of Saddlery that he did not know his work; he was told that this official being unable to judge of the quality of leather, there had been advertisements in the newspapers for a new officer to be appointed under the name of Inspector of Leather. This was the way in which the Government dealt with the scandals in the Department in question. Colonel Rawnsley and Commissary General Moloney were men who ought to have been dismissed. But their time was up, and the only notice that had been taken of them was that they had been allowed to retire on large pensions. He said that all these things constituted a very bad case. It was of no use for the Government to tell him that these things occurred one, two, or three years ago; because he had shown what had been done by the War Office recently, and what was going on at that moment. Until the Government could show that the money asked to be voted was to be well spent, and that the Department was properly organized, he said, in the interests of the Army itself, it was incumbent upon the House of Commons to insist that the Army, although small, should be well equipped, not only in respect of weapons, but of accoutrements on which very often the lives of our soldiers depended. They should see that the lives of our soldiers and the safety of the country were not imperilled either to please the Director of Contracts, the viewers, or the Commissary General, and, least of all, the contractors who sent in these shoddy articles. Instead of being rewarded, they should be punished, and as the only means the House had of punishing them was by reducing the Vote, he moved its reduction by the sum of £1,000.

Motion made, and Question proposed,

"That the Item A, £90,763, Pay of Establishments and for Inspection and Proof of Stores, be reduced by the sum of £1,000."—(*Mr. Hanbury.*)

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) said, he would remind the Committee that the facts dealt with by the hon. Member (Mr. Hanbury) occurred in 1885 and 1886, and that neither he (Mr. E. Stanhope) nor the Government were in the smallest degree responsible for any one of them. How did those facts come to light at all? If the evidence was to be trusted, the facts must have reached over a considerable number of years. It was a Commission appointed by his right hon. Friend the First Lord of the Treasury (Mr. W. H. Smith), and presided over by Sir James Stephen, which, in the first place, put its finger on the evils now complained of. But that Commission was appointed to inquire into warlike stores passed into the Service. The Commissioners did not think it was their duty to make any investigation into the matters now brought under the notice of the Committee, but recommended that a special and separate inquiry should take place. As soon as he saw that paragraph in the Report he came to the conclusion that there ought to be a special and separate inquiry, and, looking to the contradictory nature of the evidence going to be brought forward, he determined that something in the nature of a judicial inquiry should be instituted, and that someone should be appointed, accustomed to weigh and present conclusions founded on careful investigation of the facts on one side and the other. Accordingly, he requested the Judge Advocate General to undertake that inquiry. His right hon. and learned Friend did so, and he was bound to say that the Government and the country owed a considerable debt of gratitude to the right hon. and learned Gentleman for the time and trouble expended on the inquiry. He did not think that it would for a moment be disputed that

this inquiry was not only conducted in an impartial spirit, but in such a manner as, as far as possible, to exhaust the whole subject. He did not propose to follow the hon. Member into all the particulars which he had brought forward; but he admitted at once that the Report of the Judge Advocate General contained facts of a most lamentable kind, and disclosed a state of things which urgently called for improvement in the administration of the departments concerned. Now, the two questions raised were, first of all, that defective articles had been passed into the Service; and, in the second place, the question of the whole system of inspection. Before proceeding to discuss these two questions, he should like, at the outset, to put before the Committee two things which it was right hon. Members should bear in mind in considering the facts as a whole. Of these, the first was that a great portion of the articles passed into the Service as defective were passed at a time when there was an enormous strain on the Department. A large number of men connected with it were taken off to Egypt at the time of the war; and also, in connection with the Expedition to Bechuanaland, the Department had to get a large number of articles in a great hurry. Secondly, a difficulty had arisen with regard to leather goods owing to the complete alteration which had taken place in the system of tanning. Under the old system, six months were required to complete the hides. We moved too fast in these days to allow six months to finish the process of tanning, and, accordingly, new methods were devised which made it very difficult for any Inspector of leather goods, however skilful and desirous of doing his work properly, to detect adulteration by mere handling. Dealing, then, first with the individuals concerned, he admitted in the fullest way that the evils were very serious evils. There could not be the least doubt that the number of defective articles passed into the Service was very large, and that they were passed by more than one man into the Service. When they came to examine who were the individuals responsible for this state of matters, it must not be forgotton that the Judge Advocate General examined the witnesses himself, and that he could form an estimate for himself what reliance to place upon them, and therefore the conclusion at which he arrived, on hearing all the evidence as regards individuals, even more than as regards the system, was entitled to great weight and consideration. Now, to take the case of the contractors. He thought it showed the animus with which the hon. Member had spoken, that he described Ross and Co. as the pet firm of the Government.

MR. HANBURY: I simply called them the pet firm of the Government, because they got nearly two-thirds of the whole Government contracts.

MR. E. STANHOPE went on to say that Ross and Co. were, if not the largest, certainly in some departments the chief manufacturers of these goods in the country. They had been employed for a great number of years after competition with other firms, not only by the War Office, but by other Departments in connection with various large contracts. They supplied a great number of articles which were rejected, and with respect to which the Judge Advocate General had made a Report. On looking carefully into that Report, he came to the conclusion that the circumstances under which some of these articles had been supplied were such that it was impossible to retain Messrs. Ross on the list of contractors of the War Office, and accordingly he struck their name off. He wrote to the Admiralty and asked them to take the same step, and the Admiralty also struck Messrs. Ross off the list of Admiralty contractors.

MR. HANBURY: When was that?

MR. E. STANHOPE: I do not know the date. To take the other people mentioned in the course of the discussion, there was the case of Sergeant Hawkins, who was condemned for being an untruthful witness. Although Hawkins had always been a good workman, and had been constantly commended as such, he felt after what had been said by the Judge Advocate General that he could not allow the man to remain in the responsible post of viewer, and he directed his name to be struck off at once. After this there came to him from Hawkins a humble petition, representing that after the number of years in which he had served the Department and had done thoroughly good service, it would be absolute ruin to him if he was absolutely excluded from employ-

ment. In reply, he declined to allow Hawkins to hold any responsible position, but said he might be allowed to do some work in one of the Establishments in order that he might not be absolutely deprived of bread.

MR. BRADLAUGH: Is that not the Establishment where a great deal of the adulteration has taken place?

MR. E. STANHOPE: No; no adulteration has taken place there.

MR. BRADLAUGH: I mean where the adulterated material has been used.

MR. E. STANHOPE: I take it that the viewers are thoroughly competent to discharge their duty, and Hawkins is not one of them. There was next the case of Mr. Spice, and he came to the conclusion that the Judge Advocate General was entirely right in his contention that Spice ought not originally to have been appointed. Spice, it was true, had some connection with the contractors Ross; but if they wanted to get a practical man, they must have one who had been employed by some firm or another in this country. But Spice's connection with the firm of Ross was certainly too intimate to make the choice a proper one. His hon. Friend (Mr. Hanbury) put it all on Mr. Nepean, and said that gentleman appointed him, but that was absolutely not the fact. Originally, it was proposed by Commissary General Young that a man should be selected to fill the office; but Mr. Nepean objected, and insisted on advertising in order to get the best man for the post. Five candidates were selected, and Commissary General Young recommended that Spice was the best man; so that, at any rate, he was selected in the fairest way that could possibly be conceived, and was chosen honestly as being the best man.

MR. HENRY H. FOWLER (Wolverhampton, E.) asked, whether it was to be understood that Mr. Nepean was overruled?

MR. E. STANHOPE: Practically, Commissary General Young over-ruled Mr. Nepean. Mr. Spice was appointed Inspector of Accoutrements. There was an enormous amount of work to be done in the Department, and Mr. Spice was thoroughly well qualified to attend to his own proper work. But it was impossible for him during the last few weeks of 1885 personally to superintend all the work which it was his duty to inspect. He had therefore come to the conclusion that, although Mr. Spice did his best, he was physically incapable of doing all the work which he was called upon to do. He knew it had been said that Mr. Spice did not make sufficient complaint to the higher authorities that he was overtasked, and in that he was wrong. But, in his opinion, the main blame attached to those who imposed all these duties on Mr. Spice. One of the gravest errors in the whole business was the appointment of Captain Plunkett, who was absolutely unfitted in every way for the appointment.

MR. R. T. REID (Dumfries, &c.): Who was responsible for the appointment?

MR. E. STANHOPE: He was appointed in 1883 by General Reilly. Mr. Spice had now been eight years in the service of the Department, and it had been proved that, so far as his physical powers allowed, he had done his work exceedingly well; and it could not be shown that Mr. Spice had used his position to favour any person, even including the Messrs. Ross. He came, therefore, to the conclusion that the justice of the case would be met by employing Mr. Spice at the work to which he was originally appointed, that of inspecting accoutrements. The next case was that of Colonel Rawnsley. The hon. Member had done quite right in tracing out the various people connected with this matter, and it was only proper that the House should know the steps which the Government had taken. He found nothing in the evidence to justify the condemnation of Colonel Rawnsley. No doubt, he was responsible for the inspection; but he had asked for additional viewers, and there was no evidence whatever that he had shown any partiality towards any particular contractors, or that he was personally responsible in the matters complained of. Commissary General Moloney was, no doubt, also a man as to whom inquiry should be made. He was closely examined before the Commission by Mr. Justice Stephen, but he was unable to discover that the Commission formed an unfavourable opinion of the manner in which he had discharged his duties. The extraordinary pressure made it very difficult for a proper view to be made; and Commissary General Moloney, when he recognized this, authorized the employment of 23 additional

viewers according to Mr. Spice's request. There was, indeed, one point on which he had felt bound to ask for additional explanations from Colonel Moloney. This was as to the discrepancy between the specifications, patterns, and samples, which was quite indefensible. But the explanation given to him was this. There were 3,700 specifications to be examined, and when Colonel Moloney came to the Office in 1883, he found that there was an enormous amount of this work to be done, and he was obliged to put aside the work on which he was engaged in order to attend to it, and the evidence fully proved that he did do a great deal, during his term of office, to improve the state of things. According to Mr. Dunn, the men against whom the grave charge was made of passing unsound work were *employés* of Ross and Co. These men appeared to be respectable working men of a good class, and they had excellent characters. Every opportunity was given for making out a case against these men, but no case was established against them. With respect to the information furnished by Dunn and Moody, he was fully satisfied that their statement of insufficiency of inspection was well founded, and on this point he fully accepted the statement of the Judge Advocate General. Particular instructions had been issued that Messrs. Dunn and Moody should be dealt with with the utmost fairness; but the question of their promotion could only lie with those who were competent to say what they were qualified for. In a matter like this he, of course, could not interfere. How could he hold others to be responsible to himself if he insisted on the appointment by them of particular men? Adverting next to the other branch of the subject, he remarked that he was not going to say a word in defence of the system as it had existed. In times past it had resulted in a large number of inferior articles being introduced into the Service, and he admitted that it required a good deal of overhauling. He would try to point out the main defects which appeared to exist. The first defect in the system was the Rule requiring all articles to pass in order that they might be paid for before the 31st of March in each year. That had been complained of over and over again, and especially by Lord Morley's Committee and Sir James Stephen's Commission, and the Government had taken the Rule into serious consideration. He had been in come munication with his right hon. Friend the Chancellor of the Exchequer, and he believed that before the time arrived next year, an arrangement would be arrived at which would put an end to the evil. The second point, and one of the gravest problems in his judgment, was the difference between the specifications and the sealed samples. There was a terrible discrepancy there, and one which nobody could justify for a moment. The present Commissary General of Ordnance had taken up the matter earnestly, and in the short time he had devoted to the work he had satisfied himself that the samples brought in were in accordance with the specifications, and he himself was quite certain that the attention which that officer had given to the subject would afford a good guarantee that the former state of things would not be allowed to recur. As to the inefficiency of the tests for weapons, he might say our tests were much more severe than the tests by Foreign Governments. As an instance of that he might mention that some years ago a large contractor for a very important article sent in goods several of which were rejected; and on his being asked whether it was worth while to go on opening the parcels, he replied—"No; I will take them back, and they shall go to the French Government." The contractor evidently thought that the French Government would accept them—which they actually did—and this circumstance showed that our test was more severe than that employed by Foreign Governments. He now came to the system of inspection, which had undoubtedly been very defective. Some hon. Members had suggested that, instead of this system of inspection, we should try to enforce the responsibility of contractors. He thought the War Department would be well advised if they struck contractors off the list when there were many rejections; but that was not enough, because warlike stores stood upon a special footing. If the Department were to rely on the responsibility of the contractors for warlike stores sent abroad the country would be put in a terrible difficulty, as the defects would not be found out until an expedition had started or the troops were engaged. It was, therefore, impossible to do without

a system of inspection; but the inspection must be as thorough as it could be made.

MR. BRADLAUGH, interposing, said, that was what happened in the Egyptian Campaign. The articles were inspected here, and were afterwards found to be altogether inefficient.

MR. E. STANHOPE said, he fully admitted that in the past the inspection had been lamentably deficient. All these goods had been inspected under the responsibility of the Commissary General of Ordnance; but the responsibility of that official had been altogether nominal. He had now been relieved of this nominal responsibility, and a competent officer had been appointed to act as Superintendent, directly responsible to the Military Heads of the War Office. He had been chosen as a man of undoubted experience, and he would be responsible for the whole conduct of the inspecting branch for these articles.

MR. HANBURY asked, what was the name of the officer?

MR. E. STANHOPE replied, that it was Colonel Barrington. His hon. Friend (Mr. Hanbury) had made an attack on this officer; but he (Mr. E. Stanhope) challenged him to find any ground for the imputation. There was to be a special inspection of leather, which, in consequence of the system of adulteration and the new methods of tanning, had been very difficult to deal with. The manner of storing leather would likewise be improved. The hon. Gentleman had also alluded to the system of viewing and the difficulty of tracing who passed defective articles. It was now intended that each viewer when he inspected an article should put a special mark upon it, so as to bring home the responsibility for its acceptance to him. The hon. Member had attacked Mr. Nepean, a public servant of many years' standing; but he (Mr. E. Stanhope) might mention that neither Lord Morley's Committee nor Sir James Stephen's Commission found anything adverse to Mr. Nepean, nor had the Judge Advocate General said a word against him. The hon. Member attacked Mr. Nepean because he said he gave a number of contracts to Messrs. Ross, who employed sweaters. Messrs. Ross obtained the contracts in the ordinary way because they tendered at a lower price than others; and it was not until the recent evidence given before the Committee of the House of Lords that he had any idea that such an accusation was made against them. He felt bound to say, in justice to that firm, that their side of the case had not yet been heard before the Committee. He could say, however, that the War Office never sanctioned the giving of contracts to sweaters, and great care was taken in the Clothing Department that the clothing needed should be specially ordered from factories in order to prevent the work getting into the hands of the sweaters. As to the charge made by the hon. Member that Mr. Nepean had allowed contractors to take articles away after they had been condemned, in order to alter them, if the hon. Member had referred to the Answer to Question 3,364 he would have seen that the answer to that charge was that goods were frequently rejected for a defective stitch or two, but that the contractors always had an opportunity given them of putting those stitches right. So it was in this case. What the hon. Member alleged against Mr. Nepean amounted to nothing less than criminal conspiracy.

MR. HANBURY said, the explanation given by the right hon. Gentleman was the contractor's own explanation. Mr. Ross distinctly stated, with regard to the hides, that if he had been allowed to take them back and re-dress them he would have appealed to the Director of Contracts and beaten the Department.

MR. E. STANHOPE said, he could not offer any personal opinion on the subject, but if the hides were re-dressed in such a manner as to satisfy the proper tests, he could see no objection to their reception. Therefore, he could not help feeling that it was a little hard upon a public servant like Mr. Nepean that he should be attacked in the way the hon. Member had attacked him. He thought that if his hon. Friend had thought a little more, he would hardly have attacked a gentleman who had done such good service without basing his attack upon a little better case. He himself was not responsible for particular transactions, but he was responsible for the system now being established at the War Office, and he was perfectly prepared to accept that responsibility. If nothing else could be said to have been done during the time he

had fulfilled the duties of his present Office, he should, at any rate, have the satisfaction in his own mind of knowing that he had done his utmost to make the inspection of all war-like stores in all Departments of the Army independent and real.

LORD RANDOLPH CHURCHILL (Paddington, S.) said, he believed the Committee would agree that the hon. Member for Preston had, in a perfectly fair manner, laid his statement before them, and, if he might be allowed to say so, he thought the right hon. Gentleman the Secretary of State for War had spoken with great fairness, and explained with great facility and ability the steps he had taken to guard against the repetition of a state of things which could not but be regarded as constituting a great public danger. He was bound, however, to remark that the Committee must still be left in a state of some bewilderment and almost astonishment, at the remarkable evidence laid before them as to the system which had prevailed, and was still prevailing, in the Department. His right hon. Friend has stated that there could be no doubt whatever that the system in past years had been extremely bad, and that under that system a very large number of defective articles had been passed into the Public Service, that very large number representing, he (Lord Randolph Churchill) supposed, a very large sum of public money wasted. But it was most extraordinary that even the Secretary of State, with all his desire to re-organize the Department and assist the public, had not been able under the peculiar system prevailing to place his finger on one single person as being responsible for that great public crime. He was not going to argue against the conclusion at which the right hon. Gentleman had arrived, when he said that Sergeant Hawkins was an untrustworthy witness, and he agreed with the judgment of the right hon. Gentleman that he was perfectly unreliable. But still he remained in his position. Colonel Rawnsley apparently had held a position of some control, and would in a private capacity, no doubt, have prevented what had occurred to some extent, yet it was not in the power of the Secretary of State to bring the smallest accusation against Colonel Rawnsley. Then, as to Commissary General Moloney, the Secretary of State said that, although, perhaps he did not do all that he ought to have done with regard to the articles supplied being equal to the specifications, yet Colonel Moloney had a great deal of work to perform, that he did all he could that, on the whole, he was doing good work for the State, and that he could not get rid of Colonel Moloney. Then there was Mr. Spice. His conduct was reviewed, but the right hon. Gentleman had come to the conclusion that no blame could legitimately be attached to him. Then they came to the case of Colonel Barrington, who also occupied a position of high control in this Department, and might be held in some way responsible for what had occurred. But no. It appeared there was not a particle of evidence in the Report of the Judge Advocate General to show that any responsibility attached to him or that there was anything that reflected upon him in the slightest degree, so that Colonel Barrington was now in a more responsible position than before. Of course, this might all be very right, and he did not think the Committee was in a position to dispute the conclusion of the right hon. Gentleman. But what he was most concerned about was this—he wanted to draw the attention of the Committee to the state of things under which an immense sum of money for many years past had been utterly wasted and thrown away. The occurrences had been brought to light, and yet the Secretary of State, with all the machinery at his disposal, and the House of Commons with all the great powers at its command, were unable to visit a single individual with the smallest penalty. That was the moral to be drawn from what had transpired. He had only one further remark to make, and it was in reference to it, that he made a strong and special appeal to his hon. Friend not to divide the Committee on his Amendment. If his hon. Friend divided one of two things would happen, either he would put the Government in a minority which would be attended by much inconvenience, and that after the explanation of the Secretary of State would certainly be a course of some injustice. On the other hand, his hon. Friend might be put in a minority, and if that were so, the public, instead of drawing the conclusion they wished

them to draw, would come to the conclusion that there was not much in the complaint of the hon. Member for Preston, and that the Secretary of State had completely disposed of it. And there was this further consideration—that if the Committee adopted the Motion by a large majority it might be understood outside that the Committee had condemned the changes that had been made by the Secretary of State with a view to guarding against a repetition of these occurrences. That was what he hoped the Committee would do. The Committee upstairs had guarded itself from expressing the slightest opinion on the various changes the Secretary of State had made with a view to the better organization of our military affairs. No opinion could be properly expressed until those changes had been tried. The right hon. Gentleman had constituted, and, for all he (Lord Randolph Churchill) knew, properly constituted, at very considerable cost, a large Department charged with the independent inspection of the articles manufactured for the use of Her Majesty's troops. The changes might or might not work well, and they might or might not preserve us in the future from the grave scandals which had up to now occurred. But, if the Committee divided on the Motion, and carried the Vote by a large majority, the right hon. Gentleman the Secretary of State in the future, should the arrangements turn out badly, would be perfectly able to turn round on the House of Commons, and say—"Well, I told you of the changes I had made, and you approved them by a large majority." Under all the circumstances of the case, and, as the only motive of his hon. Friend (Mr. Hanbury) was the good of the Public Service, he hoped the hon. Gentleman would rest satisfied with the debate he had originated, and with the assurance that the Committee was grateful to him for the great attention he had bestowed upon this matter, and not seek to press his Motion further, because, if the Division was hostile to him, the result would be that, instead of doing good, he would be doing a positive evil to the public interest.

COLONEL DUNCAN (Finsbury, Holborn) said, that the Secretary of State for War stated in the course of his speech, that oral testimony was more impressive than written testimony. Perhaps as he was a member of Lord Morley's Committee, and also of the Special Committee on Saddlery, he might be permitted to detail his experiences. The impression, which was left on the minds of Lord Morley's Committee was that, while there had been a great deal of incompetency among the Government officials, there had been no corruption; and the result of the inquiry conducted by the Judge Advocate General generally tallied with that of the former Committee. The hon. Member for Preston (Mr. Hanbury) had said that the Government ought to be loyal to the country as well as loyal to its officials; he (Colonel Duncan) maintained that the Government ought to be loyal to its officials when they were good, but not loyal to them when they were bad. Two or three men who had been so severely attacked were, to the best of their ability, doing the work for which they were engaged, and certainly they were absolutely free from corruption as far as the Committee could ascertain. The name of the Director of Contracts had been mentioned; that gentleman was examined by the Committee on Saddlery; the whole system at work was put before the Committee in the most open way; no question was left unanswered; and he thought that a more worthy and excellent public servant did not exist in the country. The Secretary of State for War had omitted to mention one thing. The right hon. Gentleman said that among the discoveries he had made was the great difficulty of getting specifications to agree with the sealed pattern. The difficulty the Committee experienced was to get the article manufactured to agree with the sealed pattern, and that was a much more important thing. They found that some thousands of certain articles had been accepted by the viewers which were of a totally different pattern to the sealed pattern which was given to the viewers to follow. That showed incompetency on the part of the viewers. Although great temptations had been thrown in the way of viewers in their dealings with wealthy contractors, no corruption on their part had ever been shown. As one who had sat on the Special Committees, and heard the evidence given, and, as one quite conscious of the great

weakness of our system, he rejoiced to find that now efforts were being made to improve that system.

COLONEL NOLAN (Galway, N.) said, he quite understood the advice given to the hon. Member for Preston (Mr. Hanbury) not to divide the Committee by the noble Lord (Lord Randolph Churchill). The noble Lord was an independent supporter of Her Majesty's Government; and although, no doubt, he liked them to get a lesson now and then, he thought that, as they had been beaten twice last week, it was hardly fair to beat them on the present occasion. He (Colonel Nolan) believed that if the hon. Member for Preston (Mr. Hanbury) were to go to a Division it was very likely that he would get a majority; certainly he would if there were any Conservatives who really valued the efficiency of the Service more than the interests of their own Party. The Committee to which the hon. Member for Preston referred was not one on which he (Colonel Nolan) served; but he could quite understand, from his experience on other Committees, that the speech of the hon. Member for Preston was very much within the facts. Now, he took a much broader view of this question than the hon. Member for Preston. The defective supply of saddles and accoutrements was only a small part of this question. Again, saddles and accoutrements were put out to some sort of competition. Would the Committee believe that out of the £1,500,000 worth of stores there was hardly a single item put out to competition, but that the lists were drawn up by Mr. Nepean? Mr. Nepean was a man who had a great fancy for a restricted list of contractors; certainly he had declared he would like to retain the list, but he had never gone in for open competition. Pressure, too, was put on him by the Superintendents of the different departments in Woolwich to have restricted lists. It was only proper that all the stores should be bought in the open market, and until that was done the country would spend 20 or 30 or 40 per cent more than the value of the articles it received. Frequently, if they bought in the open market, they would get goods at 20, 30, or 40 per cent below cost price, because manufacturers must manufacture, must keep their establishments going, hoping to make something out of the country in time of war or of great pressure. An enormous saving on this Vote would be effected if the principle of open competition were adopted. Of course, in the case of machine guns, there ought to be some reward given to the inventor, and such things he would exempt from the principle of open competition by order of the Secretary of State. But take the case of such a rough article as coal. It was proved to Lord Morley's Committee that a large part of the coal in the Arsenal was not bought in the open market; there was one kind which was submitted to open contract, while there was another kind which was not. Pig iron, steel, and other rough articles supplied in the factory were never put up to open competition. Sometimes there was a long list of contractors, and sometimes a very short one; it was a notorious fact that a number of contractors argued that it was no use to get on the list; certainly there would be no economy until they adopted the simple plan of having open contracts in all cases, except where a reason could be given by the Secretary of State why it should not be adopted. There was a tremendous tendency on the part of the War Office to narrow the contracts in every way. Take the case of steel. The manufacture of steel had been set up in the Royal Arsenal almost surreptitiously — that was to say, the War Office did not exactly forbid the authorities to set it up, but simply closed its eyes to their action. But the moment they succeeded in manufacturing steel in the Royal Gun Factory they were met with the objection—"We have promised eight or 10 contractors to give them for the future the greater portion of the steel supply for the Royal Arsenal." He (Colonel Nolan) believed that a sort of promise had been given to some steel manufacturers. It was said in the House that there was encouragement to be given to certain manufacturers to set up steel works, and that this encouragement would take the shape of giving them the orders of the future. He (Colonel Nolan) remembered rising in the House, and saying that what was proposed would lead to a tremendous monopoly and tremendous profits to the manufacturers of steel. The War Office now contended that they had only given a half promise to six or eight people, and

that there was another list to whom they had not given a promise at all. There was not the slightest doubt, however, that the War Office had gone out of its way to create a monopoly in steel, which was to be the chief material used in the manufacture of the guns of the future. There was only one remedy for that state of things, and it was for this reason that he wished the hon. Member for Preston (Mr. Hanbury) would ignore the advice of the noble Lord the Member for South Paddington (Lord Randolph Churchill), and go to a Division. The whole system of contract in this country required thorough overhauling; and until the country was more awake to the fact that stores were not put out to open contract, but were given to different people as a sort of favour, the War Office would be strong enough to enforce itself against the principle of open contract. It was not that the men concerned got any advantage out of the present system, the most they got was a little power or influence in being able to distribute these contracts. Mr. Nepean, the Director of Contracts, assigned the contracts, but the Superintendents were able to recommend contractors. A Superintendent certainly could not safely recommend anybody during his first two years of Office; and, therefore, what he had to do was to go to the manager — the manager was very often advised by the foreman, and, consequently, the manager and foreman had really the giving of the contracts. The Superintendents, although they got no pecuniary advantage out of the present system, incurred enormous responsibility. Certainly, if the country paid 20 or 30 per cent more for an article than it was worth, it was pretty certain they would get a good article, though they would not get value for their money, and there would not be the same trouble in inspecting it as if they went into the open market for it. Superintendents argued that they did not like the system of open contracts, because they were not sure of a good article. It seemed to him, however, that they did not care to take the trouble or to incur the responsibility of inspecting the articles, or else their contention meant that they could not tell a good article from a bad one. Now, Lord Morley's Committee recommended certain economies; they recommended there should be an inspecting Staff, and the Secretary of State had gone so far as to appoint an inspecting Staff at a cost of £8,000 a-year. Surely, if they were to have such a Staff, they ought to get some value out of it. He had not the slightest doubt that if they threw upon that Staff the responsibility of judging whether materials supplied were good or bad they would certainly save more than £8,000 a-year. If this responsibility were not cast upon them, then £8,000 would simply be added to the other expenses of the country. As Lord Morley's Committee had been more than once referred to, he desired to ask one or two questions in respect to its recommendations. That Committee reported in favour of civilian heads at the Arsenal. He (Colonel Nolan) signed the Minority Report which was opposed to that recommendation, because he thought the Secretary of State ought to appoint the best men he could get, whether military or civilian. The Committee also thought there should be one mechanical engineer at the Arsenal, and that struck him as being a very good suggestion. He would like to know whether that portion of the Report had been carried out; indeed, there was nothing to which the Committee attached such importance as that there should be one first-class mechanical engineer at the Royal Arsenal to advise. He saw that in the Vote £3,000 was to be taken for new buildings. As he said, Lord Morley's Committee were very anxious to secure economy, and they made recommendations which he thought, on the whole, tended greatly to economy. Yet the very first thing they saw, notwithstanding those recommendations, was that new buildings were to be put up. He (Colonel Nolan) had a very good knowledge of Woolwich Arsenal, and it struck him that many of the old buildings could be utilized for the accommodation of the clerks and Commandant. If they wanted to spend money in putting tramways in the workshops, or in building new and improved workshops, well and good; but he scarcely saw the necessity of expending the £3,000 in the way now proposed. The Secretary of State (Mr. E. Stanhope) seemed to think he had instituted a good many reforms during his comparatively short tenure of Office. On the

whole, he (Colonel Nolan) really thought the right hon. Gentleman had done good work in the cause of economy; certainly, the right hon. Gentleman was about to effect a change which was of the greatest importance. He was going to take power to carry on the money over the financial year. Now, that was of importance, because, to a great extent, matters of finance in that House were managed by men who were at the Treasury. A great many hon. Members had passed through the Treasury, so that it might really be said that one-half of the men who voted on this question were connected with the Treasury, and that they looked at these matters from a Treasury point of view. They consequently wished all money that was left over on the different Votes to be surrendered into the Treasury, and to go to the Sinking Fund. Now, in the opinion of many people, all the money which was left over at the end of the financial year was wasted, so that pressure was brought to bear on the Superintendents and managers at the Arsenal to spend all the money which was noted just before the end of the financial year. Lord Morley's Committee received a large amount of evidence upon the point, it was shown that the Arsenal Authorities used to go into the market and get articles; whereas, if they had waited a few months longer, they could have got them much cheaper. The plan suggested by the Secretary of State, by which the money could be carried over the 31st of March, was one of great practical importance, and, in his (Colonel Nolan's) opinion, would lead to considerable saving. Some of the officers who gave evidence were in favour of a settlement every four or five years, but that was not assented to by the Committee, because it was felt that in that case Parliament would virtually surrender control over military matters. He was glad to see the right hon. Gentleman had decided to carry over the money for three or four months. There always must be, at the end of the financial year, an accumulation of money in the hands of the Department, and for the very good reason that if the Department spent its money at the beginning of the year, and the Secretary of State came down towards the close of the year with some urgent demand, they would have no money out of which to defray the cost. They, therefore, must have some money in hand to meet any sudden requirement of the Secretary of State. As the year came to a close, however, they were anxious to spend the money, and frequently they did spend it almost recklessly. He was exceedingly glad the Secretary of State had taken some steps to remedy that state of things, by which remedy he (Colonel Nolan) did not hesitate to say the country would gain £40,000 or £50,000 a-year.

MR. BRADLAUGH (Northampton) said, he could not help thinking that if the hon. Member for Preston (Mr. Hanbury) accepted the advice offered to him by the noble Lord the Member for South Paddington (Lord Randolph Churchill) the Committee would stand in a very lame and impotent fashion before the country to-morrow. The charges made were very specific; they had been dealt with, he quite agreed, with perfect frankness by the Secretary of State (Mr. E. Stanhope); still he reminded the Committee that when the present First Lord of the Treasury (Mr. W. H. Smith) was Secretary of State for War it was his (Mr. Bradlaugh's) duty to submit to him some similar charges in relation to similar matters, and yet, although the same things were constantly recurring, no one had been punished. The contractors, in some of these cases which had been mentioned, must have been guilty of fraud; if the statements alleged were true, they must have been guilty of deliberate and intentional dishonesty. Although it was perfectly true that to press this matter to a Division would put a number of Members who sat on the Government side of the House in an unpleasant position, because they would then have to vote against the Government they supported, yet he ventured to suggest that there was another view of the matter to be taken. The noble Lord the Member for South Paddington (Lord Randolph Churchill) said that if there were a majority in favour of the Vote they would endorse the arrangements the Secretary of State had stated he had made in order to prevent these things happening in the future. But, on the contrary, he (Mr. Bradlaugh) submitted they would be putting on record a very distinct protest against people being allowed to escape who ought to have been punished, against,

in fact, people absolutely being rewarded, notwithstanding their neglect of duty. He certainly was of opinion that upon this question the Committee ought to go to a Division. He knew that they were largely in the hands of the hon. Member who moved the Amendment and those who co-operated with him as to what kind of expression of opinion there should be; but the country would read the names given in the Division List, and would understand how far Members carried their adhesion to the true interests of the country as against their allegiance to the Government. He maintained that there ought to be no allegiance to men in the position of Messrs. Ross. One could not be sure that the adulteration of leather was not going on at the present moment. He did not pretend to say the Government were not taking steps to check it, but he did allege that when Motions of this kind were brought before the House, time after time, only to be withdrawn, the country would regard them as simply trifling with matters of this character. The adulterations were so skilfully contrived that the contractors must have paid skilled people to effect them. Poor people who defrauded the nation were sent to the place where fraudulent persons received punishment, but not so with wealthy contractors. He maintained that the Government, in not taking proceedings against the contractors, and punishing all those upon whom responsibility fell, while they admitted the chief counts of the indictment, were merely stultifying themselves. As far as he was concerned, he was certainly strongly disposed to challenge a Division when the Question was put from the Chair. He thought that everyone ought to vote for the Motion, as a protest against the system which allowed, year after year, these things to go on, because these things were the same in 1882, when our soldiers' lives were lost by them, and they were the same even before then. As long as no example was made, as long as Motions of this kind were simply introduced to be withdrawn, so long would these things be repeated.

MR. LAFONE (Southwark, Bermondsey) said, that if the Committee would bear with him he would like to make a few comments upon this matter, especially as he had some practical knowledge of the subject. He was rather surprised at the junior Member for Northampton (Mr. Bradlaugh), practical man as he was, taking such a strong view with only one side of the evidence before him. It was not like the hon. Gentleman, upon such insufficient evidence, to say that there had been shameful and disgraceful fraud on the part of the contractors. He (Mr. Lafone) thought that he would be able to show that there was not the slightest justification for any such statement. It must be borne in mind, in the first place, that Messrs. Ross and their immediate predecessors had been contractors for the Government for the last 40 years, and that, without exception, they had, before the present charges were made, carried out their contracts in the most admirable manner. The hon. Member for Preston (Mr. Hanbury) had made statements founded upon evidence contained in the Blue Book; he had taken the evidence corroborating the charges he had made; but if the hon. Gentleman would take the trouble to look at the Blue Book, he would see that the statements he relied upon were not made on oath. Those statements were made by Messrs. Dunn and Moody, and other people who gave evidence. In the first place, there was a charge made before the Royal Commission of gross and wilful corruption in the Department at Woolwich. For that there was not the slightest foundation; there was no evidence whatever in support of it; indeed, all the evidence was in a contrary direction. One or two witnesses, in giving their evidence, stated that it was utterly impossible that the corruption such as was spoken of could pass at Woolwich without detection. There were 50 viewers and 6 overlookers, and the viewers examined the goods in pairs, so that it would be absolutely necessary to bribe two, if not more, of the viewers. Then, again, the question was, whether certain viewers were not so interested by previous knowledge of certain contractors that they passed goods they should not have done simply to favour such contractors? Reference had been made to the appointment of Mr. Spice. He was not going into the question whether the appointments were judicious or not, but all the evidence tended to prove one thing, and that was that Mr. Spice was a thoroughly

competent person for the position to which he was appointed. But it was almost impossible for Mr. Spice to do the whole of his work in a proper and satisfactory manner. What were the real facts of the case relating to what the hon. Gentleman (Mr. Hanbury) called collar-hides, but which were really collar-backs? The goods were delivered hurriedly, and it was stated that they were not properly examined. There were 1,120 hides to be delivered for the purpose of completing the contracts. Of these 240, not 159, as the hon. Member for Preston (Mr. Hanbury) stated, were rejected as not being up to the standard; 120 of the hides sent back to the contractor, after, of course, being injured in the process of examination, were sold at the rate of 1*s.* 7*d.* per pound. The fact of the matter was that the Government got good value for their money. They could not expect to get hides of the value of 2*s.* per pound for 1*s.* 6¼*d.* per pound. The best collar-backs were sold at 2*s.* 3*d.* per pound, and those of the second quality were sold at 1*s.* 10*d.* per pound. But the Government wanted the contractors to deliver such goods at 1*s.* 6¼*d.* per pound. At the same time, they did not give either the contractors or the viewers a fair chance, for the specifications, sealed pattern, and the contract pattern were all different. The question therefore was, whether the viewer or the contractor should take the specification, or the sealed pattern, or the working pattern to guide him as to the delivery? He (Mr. Lafone) did not hesitate to say, as an old leather manufacturer, that no one could possibly deliver such goods as those described in the specification under 2*s.* or 1*s.* 11*d.* per pound. As he had said, the Government expected the hides to be delivered at 1*s.* 6¼*d.* per pound. Unquestionably they got value for their money, and the best proof of that was that the hides which were rejected by the Government were sold afterwards in the open market at 1*s.* 7*d.* per pound. What was the process to which they were subjected? Instead of being laid in bulk, with grease put between them to keep them in proper order, they were all rolled up, and exposed to the air. The result of treating leather in this way, more particularly leather of this description, was that the quality was deteriorated. The grease became absorbed, and the leather became quite hard. That was the appearance of the goods when they were seen by the Judge Advocate General nearly two years after they were delivered. Now he came to the question of glucose. The hon. Member for Preston used the term very glibly. The Judge Advocate General gave at the end of his Report the result of an exhaustive analysis made by Mr. Wright on the subject of glucose: Mr. Wright very properly said that it was a new field of investigation for him, and that he was not at all certain of the results. He carefully guarded himself, and very properly so, because his results were entirely fallacious, and that he (Mr. Lafone) could prove to demonstration, for he had in his possession an analysis made by men who knew all about the subject. It had been said that it was very easy to detect glucose in leather; but he could take hon. Members to a warehouse with 5,000 hides, and defy them to say whether there was glucose in the leather or not. It was very difficult to detect the presence of any foreign material in leather, for the purpose of giving weight, without a chemical analysis. No such analysis was made at Woolwich, neither was it expedient that there should be. But it would be easy in the future to prevent differences between the specifications and the sealed samples. Reference had been made to the pack saddles which were made for Egypt. The contractors had not time to make the saddles according to the specifications, and the result was they were obliged to make them as near to the pattern as they possibly could. The person who supplied the hair, supplied it on condition that it passed Government inspection, and it was proved in evidence that the proper quantity had been sent in, delivered, and paid for. The Government had not time to pass the saddles; they were obliged to ship them on a certain day, and to take them as they were delivered. One of the misfortunes of the time and of the system which now existed was that this House and the country had hot and cold fevers. At one time they had a fit of economy, and would not keep the stores up to a proper height. In the time of the Crimean War his firm had to go into the market and buy 40,000 or 50,000 hides, at an extra cost of between £8,000 and £10,000, to supply the denuded stores of

the Government. It was utterly impossible, when men were working day and night manufacturing stores, that the stores could be of the very best description. The question of sweating had been introduced. The hon. Member for Preston (Mr. Hanbury) had made a great use of certain wild statements made before a Committee of the other House by Mr: Dunn and Mr. Wright. Mr. Wright had, fortunately for himself, put the sea between him and this country. He had made statements it was utterly impossible for him to substantiate. When he (Mr. Lafone) spoke of what took place at Bermondsey, he spoke of a place with which he was most intimately acquainted, and he did not hesitate to say that, instead of sweating going on there, there was nothing whatever of the kind. He had been in the so-called sweating rooms. They were large and lofty rooms; 15 or 20 young women and girls worked there with machines and by hand. He asked them, one after another, what wages they were earning. One young woman, who had just commenced the business, said she earned 8*s*. a-week. There were people there who had been 12 and 15 years in the trade, and they would not take any other employment when there were no contracts out, because they were continually hoping that the work would return. The oldest hands were making 12*s*. and 14*s*. a-week. Having regard to the allegation made in the Committee that these people worked excessively long hours, he asked them what their hours of labour were. They told him they came to work at 8 o'clock in the morning and left at half-past 5 in the evening, an hour being allowed for dinner. Therefore, he said there was no foundation whatever for the statement made by the hon. Member (Mr. Hanbury), at least so far as Bermondsey was concerned. He could not help thinking that the contractors had been hardly dealt with. The Secretary of State for War had scarcely done them justice. They had had to labour under great difficulties, for they had been required to deliver the goods under great stress.

THE JUDGE ADVOCATE GENERAL (Sir WILLIAM MARRIOTT) (Brighton) said, he had no intention of detaining the Committee at any length; but it would be hardly right, considering the part he had played in the matter, if he did not offer a few observations. Perhaps it was as well that he should say what was the origin of this matter. The Committee of Inquiry went down to Woolwich, and, by mere accident, saw some hides. They asked a man casually concerning them, and his answer was so unsatisfactory that their suspicions were at once aroused. Sergeant Hawkins' name had been mentioned; but it was right to say that he was in no way responsible for these hides. He (Sir William Marriott) examined the man, and formed the opinion that he was a person who under no possibility could tell the truth, or perhaps he ought to say give satisfactory answers. That seemed to be the character the man possessed at Woolwich. At the same time, he was an excellent worker, and that was the reason why his services were retained. The Secretary of State for War, however, was quite right in keeping him out of any position of responsibility. It had been said that goods had been received which ought never to have been received, and that therefore the money paid for them had been wasted. The hon. Member for Northampton (Mr. Bradlaugh) went further, and stated that officials had been rewarded who had been guilty of negligence, and who ought to have been punished. He (Sir William Marriott) was not aware that any officials who ought to have been punished had been rewarded. He knew there were many people who always thought that someone must be hanged. This reminded him of a common practice in the East. If a crime was committed there, half-a-dozen people must be punished, it being quite a matter of detail whether the right man was punished. But we could not do here what was done in the East. If a person was found to be really guilty, then he ought to be punished; but it was very improper to lay blame on the wrong person. Now, corruption had been charged against the Establishment, and against certain manufacturers. That was the main charge which brought about the inquiry. But throughout the inquiry, however, there was not one word of corruption uttered against the Establishment or the manufacturers. The very accusers themselves — Mr. Dunn and Mr. Moody — were asked if they had any proof. Mr. Moody said that he never said that

there was any corruption, and Mr. Dunn said it was only a suspicion upon his part. The charge of corruption certainly failed, both against the manufacturers and against the Department. Then came the question whether any individuals were to blame. The evidence undoubtedly went to prove that it was the system which was at fault. The system was extremely bad; but if they asked him who was responsible for the system he should say it was the House of Commons. It was very well for hon. Members to say they were not to blame. They were responsible. They were responsible for the Government, and the Government were responsible for the system. Take the case of these hides. In 1885 there was a panic, and there was a great demand for public money. Up to that time the stores had been kept very low, far lower than they were ever kept. Who was responsible for them? In his opinion, the House and the Government of the day were responsible. All at once a large number of goods were ordered. The Establishment at Woolwich had a sufficient number of viewers for ordinary times; but upon this occasion so many goods were coming in that they had to put on extra men; that was why Mr. Dunn was put on. As a matter of fact, these hides never were inspected. The officials said they had not time to inspect them, and not even time to count them. There were certain rules of the Treasury which necessitated some pressure. Millions of money were voted by that House, and the Departments felt that they must spend the money before the 31st of March, whether they wanted goods or not. They felt that, whether they could get good or bad articles, the money must be spent. It would be seen, therefore, that it was the system which was to blame, and not individuals. They must not expect men to do impossibilities. If they put upon them more than they could do, they must not blame them; they must blame the Government and Parliament. The contractors themselves complained, in writing, of the hurry; and that ought to be borne in mind by an impartial Assembly. Then, with regard to Mr. Spice. Mr. Spice had done his work well. He had had extra duties put upon him without extra pay, and it was only fair to him to bear in mind that when those extra duties were put upon him he had asked for extra assistance to enable him to cope with the work and did not get it. He (Sir William Marriott) did not know who was to blame individually for this state of things, but to speak generally it was the War Department of 1883 that was responsible. If the House chose to pass a Vote of Censure upon the Administration of that year well and good; but they must always bear in mind that such Vote of Censure could have nothing at all to do with the present Administration. As to the charge that Mr. Spice had appointed as viewers men who were connected with Messrs. Ross and Company the contractors it had broken down entirely at the inquiry, and it was there shown that though they had worked for half-a-dozen different firms, and though they might have been employed by the subcontractors under Messrs. Ross and Company, that they had never been in the employ of that firm at all. As to Messrs. Dunn and Moody, they had unquestionably done good service by calling attention to these matters. Dunn, for himself, did not claim that high inspiration which the hon. Member who had moved this Amendment (Mr. Hanbury) had suggested. The cause of Mr. Dunn's action was unquestionably disappointment, and Mr. Dunn himself had admitted it. What happened was this—in 1885, when all this extra work was put upon the Department, several people were taken out of the collar shop, where they received £1 2*s.* 6*d.* a-week, and made viewers at wages of £1 13*s.* rising to £2 a-week. Amongst the men taken out of the collar shop and made viewers by Mr. Spice were Messrs. Dunn and Moody. These men viewed for a whole year, and no doubt they had done there work very well. They were very good men and very intelligent, as he (Sir William Marriott) could vouch, having had to examine them. No doubt, they were very excellent viewers; but when new viewers had to be appointed as permanent officials, Mr. Spice, instead of appointing Mr. Dunn or any of the others who were taken out of the collar shop, brought in men from outside. Mr. Dunn and the other men were naturally very much disappointed, and had said so. They had thought that if new viewers were to be permanently appointed they ought to have had the ap-

pointments. Personally, he (Sir William Marriott) thought that Mr. Dunn ought to have had one of the appointments, and that the fact of passing him over was a great error of judgment on the part of Mr. Spice. Moody was a much older servant, he had seen a great deal of service, and soon after retired from the Department, so that the mistake was not so great in his case, although both of them had a fellow-motive, and there was no evidence whatever of corruption in what Mr. Spice had done. He (Sir William Marriott) certainly thought that those men ought not to be punished, but rather rewarded in some way consistent with the well-being of the Department, and he was sure the right hon. Gentleman the Secretary of State for War was of that opinion also. That was all he had to say on the matter. There were, no doubt, great evils in the system which had been in existence at Woolwich, but, in his (Sir William Marriott's) opinion, the Secretary of State had taken every possible step to remedy them.

Sir WILLIAM PLOWDEN (Wolverhampton W.) said, he should like to call the attention of the War Office to a matter to which their attention had already been directed, but with regard to which he thought the Committee had a right to ask for some further assurance from the right hon. Gentleman the Secretary of State. The subject to which he referred was this—it had been admitted by the Secretary of State that there had been disagreement between the specifications, sealed patterns, and samples. The Secretary of State stated that he was so much struck by these remarkable differences that he had called the attention of the late Commissary General to the matter, and had obtained from him some explanation of what was going on. With reference to some remarks which had fallen from the noble Lord the Member for South Paddington (Lord Randolph Churchill), he (Sir William Plowden) trusted that the right hon. Gentleman the Secretary of State for War would allow the inquiry to go somewhat further. It was quite clear, from the evidence which was taken at the inquiry, that they ought to be able tolay their hands on the various officers in the Department who were responsible for what had occurred. It was admitted in the evidence—which he had very carefully read—by the Commissary General and others that the responsibility rested upon them; but though the Commissary General, on page 82, remarked that he himself was responsible, yet he pointed distinctly to subordinate officers who had the immediate charge of this duty. It seemed to him (Sir William Plowden) that in late years immediately preceding those in which these unfortunate circumstances occurred, there must have been instance after instance where specifications, sealed patterns, and samples were made use of, and that there must have been some responsible officer capable of acting with authority in the event of there being any serious discrepancies in these things. He (Sir William Plowden) sincerely trusted that before that discussion closed the Committee would have an assurance from the War Office that they would not allow this matter to drop, but would attempt to bring home to all those who were responsible the errors which it was admitted that somebody in the Department had been guilty of.

Colonel HUGHES (Woolwich) said, he desired to supply what appeared to him to be an omission in an observation which had been made with regard to the chemical test. He had listened with great interest to the debate on this point, as it very closely affected some of his constituents, and the point to which he would draw attention was that on the inquiry an analyst was called upon to give a certificate as to the quantity of glucose that had been put in the leather for the purpose of increasing the weight. He had been told that it was hardly fair to expect the viewers to judge by the mere appearance of the leather, or even by the face upon it, of the amount of glucose which was in it, and that viewers were not furnished with any chemicals in order to make an efficient test. Now, he thought that the Government might learn two lessons from the inquiry which had been held. One of these lessons was that the present method of testing was not sufficient in order to detect the presence of glucose in leather, and that unless a chemical test were adopted the same evil which was discovered at the inquiry would happen again; and the next lesson the Government should learn was that they ought not to adhere to the foolish system of insisting upon a lot of orders being executed at the latter end

of March. The orders should be given earlier. If the goods were wanted they might just as well be ordered earlier, and if they were not wanted they should not be ordered at all. At the end of the financial year it did not matter whether the "remain" were goods or money, so that in the latter case, at least, another three months were allowed for its expenditure. He entirely concurred with the observations of the right hon. Gentleman the Secretary of State for War. He felt sure that the men had been thoroughly exonerated, and that it was the system—although he did not know under what Government, perhaps under many Governments—which was responsible. The reduction of the present Vote would only prevent improvements which had been already initiated from being carried out. Therefore, the Amendment was illogical, and he hoped his hon. Friend the Member for Preston (Mr. Hanbury) would withdraw it, considering the interesting discussion they had had.

MR. MOLLOY (King's Co., Birr) said, that he held a contrary view to that of the hon. and gallant Gentleman who had just sat down, and hoped that the hon. Member for Preston would not withdraw his Amendment. If the hon. Member should withdraw his Amendment the observations he had made and the cases he had substantiated would be utterly futile. He (Mr. Molloy) thought it was desirable that the House of Commons should give some expression of its opinion with regard to the management of some of these public Departments. Now, for some years past—and this was his only excuse for intervening—he had taken considerable interest in these questions, and he would point out to those who were inclined to think that it was not desirable to take a Division upon the Amendment, and that any defence which might be set up was sufficient, that he and one of his Friends some time ago had drawn attention to the evils existing in one of the Departments, and had been met with constant denials on the part of the Government, and yet, during the following Session, an examination having been made into certain matters in the Department in question, the result was that everything he had stated was absolutely proved, and certain gentlemen in the Department were turned out of the Service. He had listened to the defence made by the Judge Advocate General, and he was bound to say that anything weaker he had never heard. The right hon. and learned Gentleman's interesting story on Untruthful Tommy, who was turned out of the Service for his questionable veracity and then admitted into the Service again because he was a competent workman, might be altogether put aside. The right hon. and learned Gentleman had said that he had judged men by looking at them, and in that way had come to the conclusion that there was no corruption in the Department—a most extraordinary thing for a Member of the Government to say in the face of the overwhelming evidence referred to by the hon. Member who had moved the Amendment. To get up and offer such a statement as that it was possible to judge of the corruption of officials by looking at them, in the face of the declaration of the hon. Member for Preston (Mr. Hanbury), was utterly unworthy of one holding the high position of the right hon. and learned Gentleman the Judge Advocate General. Not to detain the Committee too long, he (Mr. Molloy) would draw attention to what appeared to him to be the only defence raised that night as against the charges made by the hon. Member for Preston, and that was by a Gentleman sitting on the Government side of the House, who, as far as he (Mr. Molloy) could understand, had spoken on behalf of a certain contractor. He (Mr. Molloy) had no particular charge to make against the contractors by name; but what did the evidence amount to? Here was one fact—it was notorious in the trade, and in commercial circles—that leather, like linen goods and many other materials, was loaded when it was sold by weight. Glucose was largely used for this purpose, and the hon. Gentleman who spoke in defence of the contractors said—"No; there is no glucose in the leather; but some chemical reaction takes place in the leather itself and forms sugar—5 or 10 per cent." So that it practically came to this—that anyone desirous of exercising economy in his domestic arrangements had only got to take a piece of leather and stir his tea with it to obviate the necessity of buying sugar. Could anything more ridiculous be imagined? It was said that the only

chemical used upon the leather was used for the purpose of washing it and obtaining a surface, that chemical being sulphuric acid, one part in ten, they were told, being used.

MR. LAFONE said, his contention was that the sulphuric acid was used for the purpose of giving a finish to the leather, and that the effect of its use was to produce a chemical change in the substance of the material, portion of this change consisting in the formation of sugar in the leather.

MR. MOLLOY said, that the hon. Member's interruption was perfectly unnecessary, as it had not in the least corrected anything that he (Mr. Molloy) had said. A face was put upon the leather in order to deceive the buyer. Chemicals were used, in spite of the fact that they injured the leather, in order expeditiously and cheaply to produce a face which could only be produced genuinely by a proper system of tanning. Let the hon. Gentleman go into the market, and endeavour to purchase leather cured in the old way, and not in the modern way, and let him mark the difference in price that he would have to pay for it. He would pay much less for the leather cured by chemical process, for the curing was effected much more quickly, there was a readier return, and consequently a larger profit made. The effect of this chemical process, which involved the use of sulphuric acid, was that the quality of the leather was seriously deteriorated, and that in use it was found to rot after a very few months wear. ["No, no!"] Hon. Gentlemen who disputed that had only to go into the office of the gas works and look at the leather backs of the books there. They would find to what a remarkable degree the leather rotted away owing solely to the amount of sulphuric acid in the air, combining with the moisture of the atmosphere and soaking into the leather—a solution which was much more damaging to leather than the mild wash put upon the material by the manufacturer in the old process of tanning. He trusted that the Amendment would be pressed to a Division, and looking at the weak nature of the defence which had been offered, he hoped that every Member of the Committee would consider it his duty to support it.

GENERAL GOLDSWORTHY (Hammersmith) said, that there was no doubt that in the past stores had been passed into the Service which should not have been passed. There was also no doubt that the examination had not been properly conducted, and that our soldiers had suffered in consequence. He himself had on several occasions called attention to this matter in the House, as the hon. Member for Preston and other independent Members had done, for they were as desirous as possible that there should be efficiency in the Army, and that our troops should have their accoutrements, arms, and equipments, and everything necessary of the best and in perfect order. But the present Secretary of State for War had inaugurated a system which he believed would conduce to that end, and much as he (General Goldsworthy) found fault with what had been done in the past, he felt it his duty to go against anything that was likely to embarrass the Secretary of State in his efforts to put matters to rights. The system of the administration of the Army had in every respect for years past been defective; but he believed that the country was now fully alive to the fact, and was determined that the Government, the Commander-in-Chief, the Adjutant General, and all other responsible authorities, should remedy the existing evils, and do their duty in regard to the Army. If a Division was taken, he should not go against the Government, and in taking up that position he believed he would have the support of his constituents, and of the people of the country generally. He was not afraid of putting the Government in a minority when he believed that circumstances demanded it. He had helped to do so before, and if the necessity should arise he would do so again. He believed, however, that there was no necessity on this occasion, and he could not think that the Government would be in a minority, as he was sure the common sense of the Members of the Committee could be depended upon. He was bound to say that when the Government was doing its best to put matters to rights, and when they had a Secretary of State for War who was unceasing in his endeavours to perfect the equipment and organization of the Army as was admitted even by hon. Gentlemen on the other side of the

House, it would be unfair to pass any thing in the nature of a Vote of Censure on them.

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) said, he quite agreed with his hon. and gallant Friend (General Goldsworthy), who had just spoken, that little was to be gained by putting into a minority a Government which was simply endeavouring to remedy defects which it had found to exist, and for which it was in no way responsible. There were one or two points which had been raised in the course of this discussion which it would not be courteous to those who had raised them altogether to ignore—points which were, perhaps, not as germane to the subject immediately before the Committee as they might be. The hon. and gallant Gentleman the Member for North Galway (Colonel Nolan) had spoken of the advantage of extending the system of open contracts. Well, his right hon. Friend the Secretary of State was fully alive to the desirability of extending the system of open contracts in every way they could. It had been mentioned that coal was now largely obtained by open tender. Hitherto, he was aware that for the three classes of best gas coal there had been limited competition, but the system of limited competition had been abandoned, and in the present year the supply was obtained by open competition. Then with regard to the inspecting Staff that had been created. It was true that it had been created at some additional cost to the country, the present Estimates bearing a charge of something like £5,000 a-year —not £8,000, as had been mentioned —for that Service. The Service would henceforward be put into a state of efficiency, and the weapons put into the hands of the troops would be properly inspected and tested. Then the hon. and gallant Gentleman had said that mechanical engineers should, in accordance with the Report of the Committee, be appointed at the Arsenal. His right hon. Friend the Secretary of State had appointed mechanical engineers in the Ordnance Department, and that, he thought, would meet the views of the Committee. The Government were as anxious as the hon. and gallant Member could be that new buildings should be put up at the Arsenal, in consequence of the new arrangements and developments which had been there effected, and he thought that they had now the means of making an increase in the Staff. If he might say a word before he sat down as to the appeals which had been made to the hon. Member for Preston (Mr. Hanbury) to press his Amendment, by the hon. Member for the Birr Division of King's County (Mr. Molloy) and the hon. Member for Northampton (Mr. Bradlaugh), he would say only this—he would venture to ask the Committee to consider the remarks which had fallen from the noble Lord the Member for South Paddington (Lord Randolph Churchill) as to the necessity for receiving with great consideration the views put forward by the Secretary of State respecting the individual liability of those concerned, which remarks had not been rebutted by any Member of the House. If they asked the Government to make examples, and thought they would get justice by making examples, he would submit to the Committee that they would do more harm than good if they committed a gross act of injustice to any individual in condemning the system which had been set up. In regard to all the officers in question, it had been abundantly proved that they were over-laden by the task put upon them. Not only as to Mr. Spice, but as to Colonel Rawnsley and other officials, it had been shown that they, from time to time, had made reiterated demands in the Department for additional assistance, and Colonel Rawnsley pointed out in his Report that he was working until 12 o'clock at night, or 1 in the morning, and sacrificing his health in order to get through the business. The difficulty was that the Department was not sufficiently strong to cope with the strain put upon it, and at the War Office they had not men to send to supplement its strength, and he could not believe that the Committee would proceed to condemn officers because, in the face of a very great pressure and difficulty, they had struggled on to the best of their ability, and had endeavoured to perform their duty so that the Service of the country might not be brought to a standstill. He would submit that after an inquiry of a judicial character, in which fraud had been found to have been committed by none of the officials concerned, it would not only be

a strong thing on the part of the Committee, but also a very dangerous precedent, if they were to proceed to pass a censure, akin to a judicial censure, on those officials who had been exonerated after a fair and impartial trial.

MR. BRADLAUGH: I would ask the hon. Gentleman whether he does not think the supply of adulterated leather by a contractor is fraud?

MR. HANBURY said, he thought no one would suppose if he did not take a Division that he was swayed by other motives than those of hon. Gentlemen sitting below him. It was not from a fear of putting the Government in a minority that he should refrain from going to a Division if he thought they were in the wrong. If they only had before them, in reply to his Motion, the arguments of the hon. Gentleman who had just sat down, he should certainly go to a Division, because he believed that the hon. Member's speech had weakened the statement made by the Secretary of State for War. As an independent Member, he did not bring the question forward to put the Government in a minority, but to put the Government officials in a proper state of mind, and he was bound to say that, as regarded the Secretary of State, he believed his Motion had had that happy effect. They did not wish to punish people for what had happened in the past, if any apology or excuse could be offered; but what they did intend by this Motion was to put Government officials into the position of admitting that what had been done in the past was wrong. No attack upon anyone was meant when Motions of this sort were brought forward. One reason which would induce him not to press the Motion, he must confess, was the very candid speech of the Secretary of State for War. Unlike some officials, the right hon. Gentleman had not thought it part of his duty to defend everything which had been done in the past. If the right hon. Gentleman had done so, he (Mr. Hanbury) should have thought it necessary to go to a Division; but the right hon. Gentleman told him, as Secretary of State, that there might have been evils, but that he was doing his best to remedy them; and, under those circumstances, he was bound to believe the right hon. Gentleman, and, therefore, he did not intend to press his Motion. At the same time, he (Mr. Hanbury) was not one of those who liked to run away when he had placed a Motion before the Committee. The right hon. Gentleman had not gone far enough to satisfy him; and, though he should ask the permission of the Committee to withdraw the Motion, in common honesty, were it pressed from the other side, he should feel bound to support it.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he should like to say just one word in regard to what had fallen from the hon. Member for Preston. He could make no complaint of the hon. Member for having brought forward the Motion and being desirous to vote upon it; but he (Mr. Smith) wished to say that the Government welcomed the assistance of hon. Members in any part of the House in pointing out evils that they were able and which it was their duty to remedy. That was not the first time that he had said so in the House. Last year the noble Lord the Member for South Paddington (Lord Randolph Churchill) had desired the appointment of a Committee to investigate certain matters; and he (Mr. Smith), on behalf of the Government, had cordially accepted the proposal, in the confident belief that good would result from an examination of the Estimates by a Committee of the House of Commons. In the same way he had cordially welcomed from hon. Members in all parts of the House assistance in pointing out abuses which were discovered and enabling the Government to remedy them. The Government upheld the principle of personal individual responsibility on the part of servants of the State, and they were prepared to enforce that responsibility to the utmost of their ability; and he could assure the hon. Gentleman who had brought forward the Motion and the Committee at large that they desired, when a system was shown to be bad, to effect a remedy, and they accepted the full responsibility which belonged to the Government in the effort to do so. His right hon. Friend the Secretary of State had frankly and fully acknowledged the evils which belonged to the system they were discussing. The Government desired to cast no blame upon their Predecessors.

The system was one which had grown up in the course of years, and one for which Secretaries of State in the past must have been responsible, as all State servants were responsible for the condition of things which existed in their Departments. But there was a difference as to the character of the responsibility. A man was responsible for that which he had authorized or knew and had brought about; he was also responsible if he shut his eyes to the facts which were brought to his knowledge. Well, the present Government had thought it their duty to open their eyes to all the facts brought to their notice as to the defects in the Public Service, and to do all they could to remedy those defects, and to punish the people who were guilty, if guilt could be brought home to them. He thought the discussion which had taken place had been of great advantage to the Public Service. It would tend to strengthen their hands in enforcing responsibility, and he thought it would act as a valuable warning to public servants that if they were in any degree guilty of neglecting their duty by an absence of vigilance, or of absolute corruption, they would be called to account, and probably punished most severely. He was glad the hon. Gentleman who had moved the Amendment was satisfied with the reply he had received from the right hon. Gentleman the Secretary of State for War. He (Mr. W. H. Smith) thought that a Division upon the subject would be more likely to work for evil than for good, as the noble Lord the Member for South Paddington had pointed out. If there was a majority against the Motion, it might possibly be claimed in future years on the part of someone as a sanction of a bad system by a majority of the House. The Government entirely deprecated such a conclusion or result. They acknowledged that the system was a bad one, and regretted that the evils connected with it had not been discovered before, and they would do their best to grapple with those evils now, and prevent any repetition of them in the future.

THE CHAIRMAN: Is it your pleasure that the Motion be withdrawn? ["No, no!"] The Question is, That the Item "A," £90,763, Pay of Establishments and for Inspection and Proof of Stores, be reduced by the sum of £1,000.

Question put.

The Committee *divided:*—Ayes 95; Noes 131: Majority 36.—(Div. List, No. 172.)

Original Question again proposed.

COLONEL NOLAN said, he wished to ask a question as to the sum of £327,000 for the manufacture of small arms. Could the right hon. Gentleman opposite give them any approximate date when the Magazine rifle would be issued to the troops? The question was one of great importance, inasmuch as foreign Armies were becoming familiar with the use of these magazine rifles, and because they could not only fire eight or 10 shots to the minute, which was double as fast as the ordinary breech-loader, but had a trajectory which enabled them to hit twice as many men at 500 yards as the best rifle in use in the Service now, in addition to which it was said that a much better aim could be taken with the new arm. From these facts, and also from the fact that the Bell rifle was being issued in such enormous quantities, the Committee would see the importance of the subject. He was aware that it was necessary to institute experiments before it was safe to order large quantities of a new weapon, but these experiments ought not to be carried too far in point of time. Experiments had been going on for a year and a-half. When he had gone down to Enfield, he had heard that they had been on foot for a considerable period—experiments had been made, in fact, for over two years. In the United States it was a fact that after guns were ordered no less than six months elapsed before any of them were delivered, although when they did begin to arrive they poured in. He desired to know if the construction of the magazine rifle would take place at once?

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he wished to ask two questions. He endorsed what had been said by the hon. and gallant Gentleman the Member for North Galway (Colonel Nolan); but he would like particularly to ask his right hon. Friend the Secretary of State for War how many of these new Magazine rifles were now being manufactured; when it was possible that the First and Second Army Corps would be armed with them; what was the class of ammunition that was to

be used; would that ammunition be available for any other weapon besides the Magazine rifle; and did the right hon. Gentleman propose to arm as speedily as he was able the rest of the Army as well as the Reserve Forces with the new weapon? These subjects were at the present day matters of very great and very grave importance, because if it should happen that we should be called upon at a moment's notice to take the field, it was necessary that we should be absolutely prepared to do so. Obviously, then, it was of the greatest importance that we should know that we possessed the best arm of any Service in the world, and that we were issuing it to our troops as quickly as possible. The other question he would like to ask—because he did not like to detain either the Committee or the right hon. Gentleman the Secretary of State for this Vote any longer than could possibly be helped—was whether the Artillery, both Horse and Field batteries, were to be armed with the new gun—that gun which was said to be the very best of all the guns which had yet been issued to any troops in the world? Even if we had a large number of batteries armed with those guns, still we were told on high authority that others were armed with the very worst arm which any troops could possibly possess. He was, therefore, specially anxious to ask his right hon. Friend how soon he thought our Horse Artillery and Field batteries would be armed with the gun which was supposed to be the best that could be produced? He trusted that the right hon. Gentleman would be able to give him some satisfactory answer.

MR. E. STANHOPE said, with regard to the Artillery, six batteries of Horse Artillery were armed with the new 12-pounder gun. There were besides at the present moment 14 field batteries armed with that gun, and 14 more were armed with the 13-pounder gun, which was also an exceedingly good weapon—he believed a better arm than any in Europe, except our own 12-pounder gun. He might inform the hon. and gallant Baronet that they were pushing on with the manufacture of the 12-pounder gun as rapidly as they could, and that he was in very great hopes, if the hon. and gallant Baronet would have patience for 9 or 10 months longer, that he would see that enormous steps had been taken in advance with regard to arming all the Field batteries at home with the new 12-pounder. With regard to the new rifle which the hon. and gallant Gentleman opposite (Colonel Nolan) had inquired about, he should like to say that, upon the whole, he was satisfied with the results which had been obtained. They hoped to be able to issue a certain number of weapons for final trial on Monday next, and it was hoped that these final trials would result in their coming to a conclusion as to whether there were any details, and, if so, what they were, in which the weapon required improvement. [An hon. MEMBER: How long will the final trial last?] He could not answer that question. It might be that some alterations would be required. They expected to receive the Reports of those conducting the investigation very soon, and he had every hope that the time required for the final trial would not be a long one. [Colonel NOLAN: Two or three months?] Yes. They were making every preparation for the manufacture of the rifle as soon as the final selection was made. They had a large number of machines which they were ready to put in order, and which would be prepared to start the manufacture when the pattern was settled. The fact was that there might be many details which might require a little alteration, and it was necessary that they should adopt such alterations as were beneficial. The main details were already settled, and he was confident that they would be able to commence the manufacture of the guns within a reasonable time. The hon. and gallant Gentleman knew that a certain time was required for this work. It was necessary to fit the machines to the precise kind of rifle required, and they could not get their outfit at once. They intended to manufacture not only at the Government manufactory, but they were also going to ask the trade to assist them, and they confidently expected that in that way they would have a large number of the rifles in use soon after the pattern was settled. As to the ammunition, it was proposed that at first it should not contain chemical powder. It was proposed that the first ammunition should be compressed powder, but he hoped that at a very early date, after the issue of the rifle, they would be able to see their way to

the use of chemical powder. As the hon. and gallant Baronet (Sir Walter B. Barttelot) knew, there were many difficulties connected with this question of ammunition. It was true that some foreign countries had succeeded in adopting chemical powder, but that powder had never yet been tested under conditions such as powder served out to the British troops would have to be subjected to. We had to send our ammunition into different climates, and the Government would not be justified in sending it out until they had thoroughly tested its keeping powers.

MR. CAMPBELL - BANNERMAN (Stirling, &c.) said, the right hon. Gentleman had spoken about the Home Artillery being supplied with the new 12-pounder gun. Could he give the Committee any information as to the extent to which it had been supplied to India?

MR. E. STANHOPE said, that the necessity for having the gun was not so great in India as at home, for in all human probability our Army in India would not be called upon to operate against a European enemy. A less effective weapon, at any rate for some time to come, would meet the purposes of the Indian Army.

SIR WILLIAM CROSSMAN (Portsmouth) said, he wished to ask whether the right hon. Gentleman could give the Committee any information as to the large increase which appeared in the Votes under the head of Sub-Marine Mining?

SIR WILLIAM PLOWDEN asked, whether it was not the fact that the Indian Government had expressed a desire to have all its batteries re-armed?

SIR WALTER B. BARTTELOT said, that before the right hon. Gentleman answered those questions, he should like to know in what condition we were in with regard to new gunpowder for the larger guns? Many statements had been been made as to our having no means to supply ourselves with powder of that sort, and as to our being obliged to go to foreign countries for it. It would be satisfactory not only to the Committee, but to the country at large, to know that we were in a position to supply ourselves with powder of this description.

MR. E. STANHOPE said, he was obliged to the hon. and gallant Baronet for putting this question to him, as it enabled him to assure the Committee that we were proceeding very satisfactorily indeed in regard to the manufacture of powder, and that we were able to get the supply we wanted in this country. It was quite true that some years ago there was some doubt as to whether the supply we wanted could be obtained here; but he was now happy to say that all doubt had been removed on that point. As to the question which had been put to him with reference to the increase in the Votes under the head of Sub-Marine Mining, that was entirely owing to the attempt which was being made to put our military and mercantile ports into a satisfactory condition of defence.

MR. WOODALL (Hanley) said, he had heard with great satisfaction the observations of the right hon. Gentleman the Secretary of State for War with reference to the new Magazine rifle. He trusted that the Government would not be precipitate in determining upon a pattern before they were perfectly satisfied that they had obtained the most satisfactory weapon they could get. He very much questioned the wisdom of the precipitate resolve which was come to some time ago with regard to the Enfield-Martini rifle. Enormous expenditure had been incurred in consequence of the decision to adopt the Enfield-Martini pattern, as machinery had to be altered for its production, and had to be re-altered when it was decided to re-convert the weapon to the old pattern. He trusted that we should not have a repetition of this experience. He believed the responsibility of the hasty determination in the case he referred to was due to the action of the First Lord of the Treasury. The right hon. Gentleman had jumped at the conclusion that we had arrived at a satisfactory arm, and had caused a great expenditure to take place all to no purpose. He (Mr. Woodall) trusted that in the selection of a new rifle now the Government would act with deliberation, so that when they had made a final selection it would prove satisfactory and they could rest content with it.

MR. E. STANHOPE said, he must deny the accuracy of the statement of the hon. Member (Mr. Woodall) that the expense in connection with the Enfield Martini had been to no purpose,

It was true that the Enfield-Martini had been abandoned as the weapon for the defence of the country; but all the weapons had been utilized at a small cost. They were in use by the troops until the Magazine rifle was introduced.

MR. WOODALL asked, whether it was not true, that all the small-arm machines at Enfield had to be altered to produce the new gun, and then had to be altered back again, when the pattern was changed?

MR. E. STANHOPE said, that was so; but he wished to correct the hon. Member when he said that the expenditure was to no purpose. The 100,000 rifles which had been converted were most useful.

MR. WOODALL said, as he understood it, those weapons had been re-converted.

MR. E. STANHOPE said, they had been re-bored from 04 to 045. The essential point was to decide the boring of the new rifle. If they found it was necessary that some modifications would have to be made, that would determine the character of the machinery; but so long as they had the same boring as that for which the machines were filled, there would be no difficulty or delay in turning out the weapons.

MR. WOODALL said, that as they were about to adopt what would be comparatively speaking a permanent arm his hope was that the right hon. Gentleman would carry out the policy intimated to the Committee, and would be sure of his pattern before incurring large costs in the alteration of the machines in the Government factories.

SIR HENRY HAVELOCK-ALLAN (Durham, S.E.) said, he hoped the right hon. Gentleman the Secretary of State for War would disregard the suggestion of the hon. Member who had just sat down (Mr. Woodall). They should decide first the boring and then proceed to the manufacture of the guns, and the case cited by the hon. Gentleman had not the slightest analogy to the changes which might be thought necessary to introduce into the arm about to be adopted in the Service. Whatever the decision arrived at as to the use of chemical powder might be, it did not bear upon the question of the arm; and, a pattern once decided upon, he trusted that the right hon. Gentleman the Secretary of State would allow nothing to stand in his way in putting as large a number of these rifles, which were undoubtedly the best in the world, in the hands of our troops. With regard to the right hon. Gentleman's answer as to the use by the Artillery in India of the new 12-pounder, it did not seem to him (Sir Henry Havelock-Allan) to be as satisfactory as it might have been. He did not think anyone could say whether the new gun was likely to be required first in India, or in any other part of Her Majesty's Possessions. It seemed to him, indeed, far more likely that the necessity for a large supply of the new arm would arise in India before it could arise in this country. He doubted whether Sir Frederick Roberts and other Indian experts would agree with the view of the right hon. Gentleman in the statement he had made.

MR. E. STANHOPE said, that if India should order the guns and pay for them there would be no difficulty in supplying them.

COLONEL BLUNDELL (Lancashire, S.W., Ince) said, he believed that if we had had the Magazine rifle long ago our history in Egypt and South Africa would have been a totally different one. However, all European nations had hesitated considerably in adopting the new rifles, and he did not think the Government were to blame for the delay which had taken place in changing from the Martini-Henry. It was a serious step to take; but he trusted that now that it had been decided upon the work of manufacturing the new arm would be pushed on with all possible rapidity, and that not only the Army but the Reserve Forces would be armed with it.

Original Question put, and *agreed to.*

(2.) £58,300, Chaplain's Department.

(3.) £32,400, Staff of Military Prisons.

Motion made, and Question proposed,

"That a sum, not exceeding £30,000, be granted to Her Majesty, to defray the Charge for the Ordnance Factories, which will come in course of payment during the year ending on the 31st day of March 1889."

MR. BROADHURST (Nottingham, W.) said, he rose for the purpose of moving a reduction of £500 on this Vote, and his only object in doing so was to call attention to a matter on which he had questioned the right hon. Gentleman the Secretary of State for War in April

of the present year, and which had relation to the discharge of an engineer artizan in the Royal Arsenal in January. The engineer in question was engaged in making very delicate machinery in connection with gun boring. The complaint of this engineer was that he was discharged because he would not work in company, or take shifts bout and bout, with a man who worked this machinery, who was not an artizan and not an engineer; but who was, in fact, an unskilled labourer imported into the workshop through the influence of some of the leading men there, foremen or managers, in order to teach him the trade. The engineer concerned was wanted to spend his time imparting his knowledge to this labourer. Now, that was a matter which might appear to the Secretary of State one of not very great importance; but, as a matter of fact, it was a question of very great importance indeed. This man refused to do the work under the circumstances. He was discharged from his employment because he refused, and not only discharged from that Department in the Royal Arsenal, but prevented from being employed in any other part of the works. Now, that was a matter which he must ask the Secretary of State to pay some attention to, and, if possible, to give him some further assurance that investigation would be made more than that which had been conveyed to him (Mr. Broadhurst) in April last. The right hon. Gentleman had told him that this engineer was discharged for disobeying orders, or for refusing to obey orders; and in some correspondence which the right hon. Gentleman had permitted him (Mr. Broadhurst) to have with him on this question, he reiterated the reply which the right hon. Gentleman had made to these serious allegations. Well, no one had denied that for a moment—that was not his (Mr. Broadhurst's) point. The man undoubtedly was discharged for disobeying orders; but the point was, whether those orders were not orders which he was justified, amply justified, in disobeying. He (Mr. Broadhurst) contended that they were. This case was only one of a series of cases where men in certain positions in the Arsenal, and in other places of the kind, had imported non-skilled relatives and friends into the Government Service, using Government mechanics, Government time, and Government wages to teach poor unskilled relatives a skilled trade, if it was possible to do so. Now, that was rather a serious statement to make; and he thought that the right hon. Gentleman the Secretary of State would admit that after what they heard that night in the earlier part of the proceedings, this case should obtain a larger share of sympathy and attention from him than it otherwise would have received. He (Mr. Broadhurst) had with him three distinct statements. The first was the case of a man named Joseph Vaughan, who was brought into the Government employment to do the work of an engineer—an engine artificer. The former employment of Joseph Vaughan was that of a house painter, but he was brought in to assist in the delicate and difficult process of gun manufacture. Here was another case—and he trusted the Secretary of State would listen to these cases, because it was impossible for the Committee to be satisfied with a mere denial of these things from the right hon. Gentleman. The next case was that of a man named Walter Copeland, who appeared to be a nephew of Henry Gardner, a principal foreman. Well, up to the time of Walter Copeland being employed in the Public Service, his business was that of a Thames waterman. A Thames waterman employed in boring guns and in setting this important work in motion! The next case was that of George Green, who was alleged to be brother of Henry Green, a foreman, and who, up to the time of his apprenticeship, was a general labourer. The next case was that of Thomas Jennings, also a general labourer. These were a sample of the cases where men had been taken into the Royal Arsenal workshops at Woolwich, through the influence of relatives who were formerly managers in the works, and put amongst the engineers to learn the trade. He wanted the Secretary of State for War to remember that the work of a skilled artizan engineer was very important; it was work to which he had devoted the whole of his life from boyhood, his parents in all probability having paid a very high premium for him to be taught the trade; he had probably devoted five, six, or seven years to his apprenticeship, and he (Mr. Broadhurst) asked the right hon. Gentleman whether he thought it rea-

sonable that such a man should be placed in the position he had described —that skilled artizans should, at the sweet will of the manager of the Gun Factory, be required to teach unskilled men their trade. He had put a question to the right hon. Gentleman in April last on this subject, and he was bound to say that he had not been at all civil not only in regard to the text of his reply, but with regard to the manner in which he delivered it. The letter also which the right hon. Gentleman had written on the subject was very curt; he simply contented himself with the declaration that orders must be obeyed. Of course, they knew that discipline must be enforced; but the orders in this case were such that no man with a spark of self-respect, or respect for his trade, would for one moment obey, and anyone who did obey them would render himself unworthy to associate with his fellow-craftsmen. The case in point was where the labourer had been brought in to assist in the boring of guns. They had heard a good deal about gun explosions; that guns burst at various parts, and no one could tell how it came about; he would not be surprised if some of the Thames watermen, labourers, and others who were employed in the Gun Factory were the origin of these accidents. He hoped the Secretary of State for War would be able to give him an assurance that there would be further investigation into this matter. It was a serious allegation, as affecting the safety of the men in the Service of the nation and of the enormously expensive guns for which the taxpayers of the country had to pay heavily, and he said they ought to have some assurance that no men should be employed in the manufacture of these expensive weapons who were not capable of doing the work of manufacture and especially the work of finishing. He had in his hand a record of the whole proceedings. The statement was one that could be very well vouched for, and the right hon. Gentleman would see that it bore the stamp of an authority which would not permit its stamp to be affixed unless the facts stated therein had been thoroughly verified. He asked at the hands of the right hon. Gentleman a proper consideration of the grave injustice and wrong done to the skilled artizans at Woolwich in the circumstances which he had stated, and in order that the Committee might mark its sense of the proceedings he would move that the Vote be reduced by a sum of £500.

Motion made, and Question proposed, "That a sum, not exceeding £29,500, be granted for the said Service."—(*Mr. Broadhurst.*)

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE) (Lincolnshire, Horncastle) said, he was extremely sorry that the hon. Member should have thought him in any way discourteous, because that was far from his intention. In his reply to the hon. Member, he had aimed at brevity, because he thought there was not much to be said in the case; but, as he had stated, he offered his apology to the hon. Member, if he thought that he had been in any way discourteous. It seemed to him that the hon. Gentleman's contention was that they ought not to employ unskilled workmen to do work which, in the opinion of the manager of the Factory, might be done by unskilled workmen. If, in the opinion of the head of the Factory, certain work could be done by men who were not specialists, he thought they were bound to employ unskilled and not highly skilled labour. He had said before that in a factory orders must be obeyed. He did not think he was going too far in saying that the Committee would agree with him that it was utterly impossible to carry on the work of a factory, and much more so when in competition with private manufacturing establishments, unless the authorities were left a perfectly free hand with regard to labour. That being so, they would be obliged to insist that in the future, as in the past, the orders of the managers should be carried out. The hon. Member had handed to him a table of certain cases which, he said, ought to be inquired into. He would readily assure the hon. Member that he would inquire into the circumstances, with a view to seeing if there was anything in them to induce him to alter the decision at which he had arrived, and he would give the hon. Gentleman an answer on a future occasion.

MR. HENRY H. FOWLER (Wolverhampton, E.) said, he rose to move that the Chairman do now report Pro-

gress. He did so on the ground of the understanding which had been come to by the First Lord of the Treasury and himself at the commencement of the proceedings, and which had not been adhered to. He had then stated that the evidence taken before the Royal Commission, presided over by the noble Lord the Member for South Paddington, on Votes 2 and 3 and some of the other Votes put down for that evening, had not been circulated. The First Lord promised that these votes should not be taken until the evidence was in the hands of hon. Members. Relying on this assurance he left the House for two hours, and on his return he found that the Committee had passed Votes 2 and 3, in regard to which important evidence had been taken, but not circulated—more especially Vote 3, involving the whole of the cost of military prisons. Yet, in the absence of many Members who were known to take an interest in this question, the Government had obtained the Votes under circumstances which he had described. He therefore felt it his duty to move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Henry H. Fowler.*)

MR. E. STANHOPE said, he could assure the hon. Gentleman and the Committee that there had been no intentional breach of any understanding arrived at. He was not present when the engagement was made. That, however, did not absolve him from any responsibility; but he might point out with regard to Vote 2 that all the evidence had been given.

MR. HENRY H. FOWLER said, perhaps the right hon. Gentleman would allow him to correct him. The last evidence reported was Question 1,327, and in the marginal note to the Report on this Vote reference was made to Question 1,370 up to 1,486, or more than 100 Questions in advance. Reference was also made to Questions 1,415, 1,399, and 1,495. Upon Vote 3, the whole of the evidence, beginning with Question 2,500, was referred to in the Report. The last number circulated was 1,372.

MR. E. STANHOPE said, he was fully under the belief that the evidence in regard to Vote 2, which they considered important, had been circulated; but it was not so with regard to Vote 3. Under the circumstances, the Government would undertake that an opportunity should be afforded on Report for a discussion of the Vote; and he, therefore, hoped the right hon. Gentleman would consent to withdraw his Motion.

LORD RANDOLPH CHURCHILL (Paddington, S.) said, it was much to be regretted that the statement as to the course of Public Business made by the First Lord of the Treasury at half-past 4 should be departed from in any way; because hon. Members had regulated the whole course of their attendance during the night on that statement. There were many hon. Members who had gone away on the understanding that certain Business would not come on for discussion. He could not too strongly express his regret on the subject of the agreement entered on by the First Lord of the Treasury in a very solemn manner; but he would say that if there were no further discussion on Vote 3, he should look upon it as a great public misfortune, and to some extent he blamed hon. Members for not having remained in the House and trusted to their eyes, rather than relying on the statement of the First Lord of the Treasury. However, the mischief had been done, and it was not his own intention or that of the right hon. Gentleman opposite to interfere with the course of Business. It was obvious from the statement of the right hon. Gentleman the Secretary of State for War, that there had been an unfortunate omission when the Vote was taken, in not abiding by the precise words used by the First Lord of the Treasury. But the right hon. Gentleman had offered to give an opportunity hereafter of discussing the matter, which promise he hoped would be carried out, and, in these circumstances, he hoped the right hon. Gentleman opposite, though perfectly justified in calling attention to the matter, would not press his Motion, but trust to the good faith of the Government to remedy the mistake and, to some extent, their own short-sightedness.

COLONEL BLUNDELL (Lancashire S.W., Ince) said, the First Lord of the Treasury stated that he would not bring forward any vote which was objected to, but when the Vote was put from the

Chair, no objection had been raised on the front Opposition Bench.

MR. HENRY H. FOWLER said, if he were guided by the remarks of the hon. and gallant Member opposite, he would certainly divide the Committee on his Motion. But he apprehended that he was the only Member on the opposite Benches who would take that view of the case. If it had been denied that a distinct pledge had been given, he should have been obliged to take the sense of the Committee on the Motion for Progress. But as he took it to be the admission of the right hon. Gentleman that a mistake had been made, and as he understood that an opportunity would be given for discussing Vote 2, and also the very grave questions connected with Vote 3, he would ask leave to withdraw.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. BROADHURST said, as he understood that the right hon. Gentleman undertook that further inquiries should be made into the matters of which he had complained, he was not desirous of pressing his Motion for the reduction of the Vote. But he might point out to the right hon. Gentleman that he and his hon. Friends did not complain of unskilled labour in unskilled work. It was their deliberate statement that unskilled labour had been imported into skilled work. They complained that skilled artizans had been compelled by the managers at the Arsenal to teach unskilled men and to make them skilled workmen.

Amendment, by leave, *withdrawn.*

Original Question proposed.

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he had taken great interest in the purchase of Sparkbrook at Birmingham a short time ago, and at the time he had asked the First Lord of the Treasury, then Secretary of State for War, what he intended to do at the works. He had impressed on the right hon. Gentleman the fact that having got so central and advantageous a position, they had a good opportunity of making in the locality in question a central Arsenal. He had pointed out that skilled labour could be obtained close to the factory, and also that in case of difficulty and danger a central Arsenal, in the position he recommended, would be less liable to attack than either Woolwich or Enfield. In reply, the First Lord of the Treasury had stated reasons why Sparkbrook had been purchased, and had indicated that a certain amount of work was to be done there. He saw by a Notice on the Paper in the name of the right hon. Gentleman the Member for West Birmingham (Mr. Joseph Chamberlain) that he thought an injustice had been done to Sparkbrook, the injustice being that some machinery had been taken away from that place and sent to Enfield. He asked the right hon. Gentleman for information on this subject.

MR. E. STANHOPE said, it was quite true that the right hon. Gentleman the Member for West Birmingham had placed a Notice on the Paper, and that he had also communicated with him (Mr. E. Stanhope) on that subject. He was very anxious to press forward the manufacture of the new rifle as quickly as possible in the interests of the country; and, that being so, the Government had decided that it was desirable to manufacture a certain number of the rifles at Sparkbrook.

LORD RANDOLPH CHURCHILL (Paddington, S.) said, he thought the Secretary of State for War had come to a wise decision. The Committee knew that Enfield prided itself upon being able to make a rifle cheaper than Birmingham. The National Small Arms Factory succeeded, after some years of acute contest with the Sparkbrook establishment, in extinguishing it as a private concern, and since then there had been no rival in Birmingham which could at all compete with the Small Arms Factory in the manufacture of rifles. He had been able to prove by figures that, at Enfield, where labour and material had to be imported from a distance, the Factory had been able to produce a cheaper article than Birmingham, whose labour and material were close at hand, and it, therefore, looked as if the private manufacturers were making a far larger profit than was right out of the Government. It was clear that if the Government intended to make rifles at Sparkbrook they ought to be able to compete with and undersell the Small Arms Company. He was very glad that the right hon. Gentleman had acceded to the representations made

to him, and he hoped he would reduce the Ordnance Factory Vote by the amount taken for the removal of machinery from Sparkbrook to Enfield.

MR. E. STANHOPE said, he was afraid he could not promise that the Vote would be reduced. He would consider the question. He was very anxious to press forward the manufacture of the new rifle.

LORD RANDOLPH CHURCHILL said, he understood that a certain sum of money was taken in the Vote for removing the machinery from Sparkbrook to Enfield. [Mr. E. STANHOPE: Yes.] He now understood that the machinery was not to be removed, in consequence of the decision to which the Secretary of State for War had arrived.

MR. E. STANHOPE explained that he had to order some machinery at Enfield to be taken to Sparkbook.

LORD RANDOLPH CHURCHILL said, that although the action of the right hon. Gentleman might turn out for the good of the public, it seemed to raise a very serious question. The right hon. Gentleman, in the statement which had been laid on the Table of the House, undertook to do certain things, and he then proceeded to execute changes before the House of Commons had consented to their being made. He (Lord Randolph Churchill) thought it a very serious thing that the public, having been called upon to pay for the removal of machinery from Sparkbrook to Enfield, should now have to pay for new machinery, in order that the plan of the right hon. Gentleman might be carried out. That was a lax way of doing business, and especially serious when taken in connection with other subjects that had been brought before the House.

MR. E. STANHOPE said, that if the noble Lord would look at the Estimates, he would see that the cost of removing the machinery was very small. He had ordered machines for Enfield, and he was now going to place them at Sparkbrook with the object of facilitating work which appear to him very necessary, although a little more cost might be involved.

MR. CAMPBELL-BANNERMAN (Stirling, &c.) said, that the noble Lord, although not approving all the steps taken by the Secretary of State for War, had put before the Committee an ingenious argument in defence of the policy the Government had adopted with regard to the Sparkbrook factory. That policy, stated in naked terms, was that they were going to set up another factory for small arms at Birmingham in addition to that which they had already at Enfield. He was one of those who had been, from the first, very suspicious and very doubtful about the advantage of acquiring the Sparbrook factory. It was quite true that Birmingham was the great centre of the gun trade; but if the Government wished to encourage the trade of Birmingham, or to procure rifles at a cheaper rate than they could be manufactured at Enfield, the proper course would have been to give orders to the trade at Birmingham, and trust more largely to private factories and much less to Government establishments. If the noble Lord found fault with Enfield and the great growth given to it of late years, he (Mr. Campbell-Bannerman) was entirely in accord with him. Still Enfield existed—they had it as a legacy from the past with all its machinery and plant—and, therefore, he was in favour of retaining the Establishment and of keeping it up on the smallest possible scale consistent with the efficiency of a Government Establishment. But if they wished to give a great impetus to the manufacture of rifles, the Government, as he had said, should go to the private trade, and not set up a second factory at Birmingham.

LORD RANDOLPH CHURCHILL said, that the only check on the cost of private manufacture was to set up a factory at Sparkbrook, and it was for that purpose that the plan was advocated.

MR. CAMPBELL-BANNERMAN said, the idea of the noble Lord was very ingenious; but he repeated that they ought to look to private manufacture for their rifle supply. It came to this—that they were going to have two small-arm factories instead of one. He did not think that that was quite in accordance with the understanding which had been arrived at with the House of Commons when it was first proposed to establish the Sparkbrook Factory—namely, that that factory should only be used for the repair, and not for the manufacture, of small arms. He had been against this proposal from the first; but

he thought, at any rate, that it would have been more consistent not only with the understanding entered into with the House of Commons, but with the general interest of the public, if Sparkbrook had only been maintained for the purpose of repairs. The factory at Enfield had been increased a few years ago at considerable cost, and so much money having been spent upon it, he was obliged to express his regret that the Government had not stood to their original proposal, and that they should have been led, in a very plausible and ingenious way, he admitted, into a course which might lead to the establishment of another small-arms manufactory.

MR. E. STANHOPE said, Her Majesty's Government were as anxious as the right hon. Gentleman himself to encourage private trade, and, as a matter of fact, they were going to utilize private manufacture as much as possible. It was, however, absolutely necessary to issue large numbers of the new rifles to our troops within a reasonable time, and the Government were bound to manufacture these small arms themselves, as well as place orders with the private trade. They were desirous of putting out as much work as they could, and if the right hon. Gentleman would look into the matter, he would see that they were employing private firms to a larger extent than had formerly been the case.

COLONEL NOLAN (Galway, N.) said, he wished to point out that neither the Government nor the private manufacturers of small arms ought to be handicapped in the matter of the price of the weapons.

MR. HENRY H. FOWLER said, the office of Surveyor General of Ordnance had been created by Statute passed shortly after the Crimea War. Recently two Royal Commissions had reported fully on the position of the Surveyor General of Ordnance, and although each Commission had approached the subject from a different point of view, both had come to the conclusion that the Office of Surveyor General of Ordnance should not be abolished. They both thought that the Office should be filled, not by a civilian, but by a man of high military positon, who should not be a Member of Parliament, and should not go out of Office with the Government of the day. But in face of those two Reports, the Secretary of State had seen fit to adopt a totally different course. He had abolished the Office of Surveyor General of Ordnance, and had substituted a new Office in its place. The Committee which was presided over by the noble Lord, had reported on the increase of cost to the public which had resulted from the new organization—and he need hardly observe that all changes in our Departments were attended with an increase of cost. The evidence upon which that Report was founded was not yet before the Committee; and he was, therefore, not in a position to allude to it. He thought it was due to the Committee and the two Commissions which had considered this question that the right hon. Gentleman should state the reasons which had led him to adopt a course totally opposed to their recommendations. There was another point to which he desired to refer, and which might, perhaps, be regarded as one of detail. In their investigation upstairs, the Committee found that the accounts of the Ordnance Department were—he scarcely knew what adjective to use—in a discreditable condition. The Committee, therefore, called in two professional accountants to investigate the accounts, and although they were in a position to submit the Report of the accountants to the Committee, their evidence had not yet been circulated. Under the circumstances, it would be a violation of the understanding arrived at if the Vote were taken before the Committee had an opportunity of discussing the Report. The accounts of the Department which had just been laid on the Table of the House were two years old—that was to say, they were the accounts of 1885-6. The Committee had before them the evidence of the Accountant General of the Army to show that the preparation of those accounts, which were valueless and illusory, had cost the country from £15,000 to £20,000 a-year. He hoped the Government would not press the Vote on that occasion, in order that hon. Members might have an opportunity for full discussion. He thought the Committee, the Royal Commission, and the public, had some reason for asking why the right hon. Gentleman had determined to re-constitute the Ordnance

Department in the manner he had done, and what reasons had induced him to disregard the recommendations of the Commissioners?

MR. E. STANHOPE said, he regretted that the right hon. Gentleman had made such a statement as the Committee had just listened to. For his part, he was perfectly ready to consent to Progress being reported at the time the Motion was made, and he was now ready to repeat that offer. There were, however, one or two remarks which he had to make. One was that the right hon. Gentleman had made, if he might say so, a grossly unfair statement as regarded the Report made by the accountants upon the accounts of the Ordnance Department.

MR. HENRY H. FOWLER said, the right hon. Gentleman charged him with making a grossly unfair statement. He had made no statement whatever with regard to the accountants. He merely said that the accountants had given evidence, and that that evidence had not been circulated.

MR. E. STANHOPE said, the right hon. Gentleman had gone far beyond that. He had said that the accounts were in a discreditable condition.

MR. HENRY H. FOWLER said, he pledged himself that he had merely expressed his own opinion on the evidence. He had never said that that was the accountants' statement. He repeated his statement that the accounts were in a discreditable condition.

MR. E. STANHOPE said, he had read the first paragraph of the Report referred to, which was to the effect that the accounts of the Manufacturing Department of the Ordnance were kept with care and accuracy.

MR. HENRY H. FOWLER said, he must ask the right hon. Gentleman to read the whole of the statement in the Report.

MR. E. STANHOPE said, the right hon. Gentleman must not dictate to him what to read in a matter of that kind. The portion of the Report to which he had referred showed, as clearly as possible, that the main object had been attained, and that the House had been told the cost with sufficient accuracy. Undoubtedly, there were minor defects in the accounts which deserved and which were receiving consideration. But that did not affect the general system on which they were made out. The right hon. Gentleman asked him why there was no Surveyor General of Ordnance at the present time? His reply to the right hon. Gentleman's question was, that he saw no reason for continuing an Office at a cost of £1,500 a-year which was, in his opinion, unnecessary. The right hon. Gentleman had pointed out that two Royal Commissions had reported in favour of continuing the Office of the Surveyor General of Ordnance. It was true that Lord Morley's Commission had gone out of their way to recommend the continuance of the Office; but he thought he was right in saying that the second Commission, to which the right hon. Gentleman referred, considered the question of the continuance of the Office as outside the scope of their inquiry, and, although they had most carefully inquired into the organization of the Department, they had expressed no opinion upon it. He thought it was a great source of weakness that the men who were to use the weapons supplied were not the men responsible for them. The reason, therefore, that had induced him to abolish the Office was that he thought it would be the best course to make the Military Authorities responsible, and that view he believed was in accordance with the best opinions that had been expressed on the subject. It seemed to him that the best course was to abolish the Office and make the Military Authorities responsible for the weapons they used, and he believed that that would tend not only to economy, but to efficiency, in the Public Service.

MR. HENRY H. FOWLER said, the right hon. Gentleman had made a personal attack upon him, and, therefore, he hoped the Committee would allow him to quote one or two passages from the Accountants' Report which, it was quite evident, the right hon. Gentleman the Secretary of State had not taken the trouble to read. The accountants reported—

"The last completed accounts of the Departments available for our examination were those of the year ending 31st March, 1885, which, though ordered by the House of Commons to be printed on the 13th April, 1886, were not completed and ready for distribution until August of that year. It is to these, therefore, relating to a period which ended considerably more than two years ago, that we have had to direct an examination."

He asked mercantile men who were Members of the House what they thought of accounts two years old which had to be examined? Let them see what were these correct accounts of which the right hon. Gentleman spoke. The accountants said that these accounts—

"Consist of the balance sheets with the accompanying schedules and capital account printed in the Blue Book, described briefly in paragraph 10. . . . . The term 'Balance Sheet' is incorrectly applied to these accounts. They are not statements setting out the balances of the books, but accounts showing in a somewhat confused manner the whole transactions of the Department for the year. They give on the one side the stores and semi-manufactured stock in hand at the beginning of the year, and the materials, wages, stores, obtained from various sources, and other charges which make up the total cost of the articles manufactured during the year. On the other side are inserted the total manufactures completed and services performed, and the value of the stores and semi-manufactured stock in hand at the end of the year. Any capital outlay is passed through the same account. Balance Sheet No. 1 contains no charge for interest or depreciation. Balance Sheet No. 2 contains both. The books do not agree with either balance sheet, inasmuch, as they omit interest, but contain depreciation, which, however, is not added to the cost of manufacture, but is charged to the account of the Secretary of State. The ledger accounts also fail to work up to the figures shown in the balance sheet."

When he (Mr. Henry H. Fowler) had an opportunity, he should call the attention of the House to some of the evidence as to the way in which the "Balance Sheets" were made to square.

"The ledger accounts also fail to work up to the figures shown in the 'Balance Sheets,' for there are no separate accounts for the items of timber, fuel, metal, &c.; nor for the various classes of production detailed in the schedules which accompany the annual accounts. It is only with considerable difficulty that the various items in the 'Balance Sheets' can be traced, and then only with the help of subsidiary books."

They went on to say:—

"The Annual Statements of Accounts as at present drawn up in the 'Balance Sheets' submitted to Parliament are in our opinion defective. They do not agree with the Appropriation Account, and they do not state clearly what has become of the manufactures of the Departments. They are also confused, inasmuch as they include items of receipt and expenditure on Capital Account in the same statement with the items composing the cost of their manufactures.

"The same minuteness," they said, "of control is exercised here as elsewhere, over expenditure. For instance, many signatures and much labour were bestowed upon the trivial amount of twopence. A full statement of the inquiries as to this item has been prepared, as an illustration, and can be laid before the Committee if desired."

All he asked was that as they had spent several thousands of pounds in employing accountants to investigate the accounts, time should be allowed in fulfilment of the pledge given by the Government for the consideration of the Accountants' Report before this Vote was taken.

LORD RANDOLPH CHURCHILL said, there was no doubt whatever that it was perfectly competent for the right hon. Gentleman the Secretary of State for War and the right hon. Gentleman the Member for East Wolverhampton to extract passages from the Report of the Accountants, either in favour or greatly damaging to the administration of the Government manufacturing Departments. After all the question of accounts was a most important one, inasmuch as there was a large annual expenditure involved. There was a most remarkable fact about our accounts. Not only were the accounts of the £2,000,000 expended not presented to Parliament until more than two years after the money had been spent, but the accounts could by no ingenuity be made in any way to coincide with our great Magna Charta of finance—the Appropriation Act. The House of Commons seemed to him to be at the present time perfectly useless, so far as financial control was concerned, and that was a matter he recommended very seriously to the notice of the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen). It was quite impossible to cast any blame upon either side of the House or upon any official. The system had grown up somehow or other that the £2,000,000 was expended, and the House had no notion how it was expended until two years after it was spent. The accounting, which cost £15,000 a-year, was worthless, and the appropriation accounts were useless. These were remarkable statements; but he was certain that no Member of the Government could controvert them. This showed that the question of accounts was extremely important, and one which was worthy of the careful consideration of the Committee and of the Government. The right hon. Gentleman (Mr. Henry H. Fowler) asked

the Government to give more time for the consideration of this part of the Vote. He (Lord Randolph Churchill) thought that the right hon. Gentleman only made a reasonable appeal, and that the Government would do well to accede to it. With regard to that position of the Surveyor General of Ordnance, he had absolutely no remarks to make. The right hon. Gentleman the Secretary of State for War, supported by his Colleagues, had abolished that important, and, to some extent, ancient Office. They had yet to see the result of that change. No doubt, £2,000 had been saved in salary; but he (Lord Randolph Churchill) thought that this would be found to be more than counterbalanced by the other appointments that had been made in consequence of the abolition of the Office. They had yet to see whether the transferring the control of the Government manufactures from the hon. Baronet the Member for Exeter (Sir Stafford Northcote) to the hon. and gallant Baronet the Member for North-West Sussex (Sir Walter B. Barttelot) was an important public change. He himself fancied it would be found to be as broad as it was long, and that things would go on very much in the old way. There was no doubt whatever that the Surveyor General in his last appearance in the House was most useless. Whether his place had been taken by other officials equally useless remained to be seen. The Committee upstairs went into the subject, and the result of their recommendations to the House was that they should wait until next year before they ventured to express any opinion in the matter.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he agreed with the noble Lord the Member for South Paddington (Lord Randolph Churchill) that time alone must decide the question of the advantage, or otherwise, of the abolition of the Office of Surveyor General of Ordnance. Even the Committee over which the noble Lord presided had been unable to express a definite opinion upon the matter. The Government, however, hoped that the new Department would present most satisfactory results to the country. Now, there was no objection whatever to report Progress, if it was desired by the right hon. Gentleman (Mr. Henry H. Fowler) to discuss this Vote further when the evidence was before the House. In fact, his right hon. Friend the Secretary of State for War offered, even an hour ago, that Progress should be reported. He (Mr. Goschen) had only to say, with regard to the very animated speech of the right hon. Gentleman opposite, that one would have thought from his utterances that for years he had been contending against this monstrous system of accounts at the War Office, and had been thwarted in his effort at reform by some recalcitrant officials. But it was only after the efforts of the noble Lord (Lord Randolph Churchill) had revealed the deficiencies of the accounts that the ex-Secretary to the Treasury, who had himself been conversant with the accounts, had risen to the conviction that these accounts were in a state of the greatest confusion. If that was so, and if these accounts were a disgrace to the nation, as, judging from the right hon. Gentleman's very dramatic speech, one would be inclined to believe, why did the right hon. Gentleman not take the matter in hand? It was mainly due to the efforts of the noble Lord (Lord Randolph Churchill) that the question of these accounts had been thoroughly gone into, and the Government had accepted with great alacrity the proposal to submit these accounts to professional accountants. The right hon. Gentleman (Mr. Henry H. Fowler) had said that they revealed a disgraceful state of things.

MR. HENRY H. FOWLER said, he had not said the accountants had said so.

MR. GOSCHEN: No; that the evidence revealed such a state of things. He did not think that was the opinion of the accountants, because they said, in the first place, that the accounts were carefully kept, and that they showed the cost of the manufactures. The great charge which had been brought against the accounts, and which was a serious charge, and which the Government would investigate, not only because of the challenge of the noble Lord, but because they were anxious to simplify the accounts, was that the accounts were too formally kept, that there was too much red-tape about them, that there were too many items, and that, on the whole, they were not sufficiently business-like. But that was a very different thing

from saying that they were in a discreditable state. There had been too much elaboration and too little care to make all the accounts agree with one another. There was no person more thoroughly convinced than he was that the great value of accounts was that one set should tally with another set. Nothing was more confusing to hon. Members, if they had to work out a great arithmetical difficulty, than a difference between the forms of various accounts. But the confusion in the accounts was due, in part, to hon. Members who had a mania for calling for different accounts and Returns. Every Member who was seized with some statistical fanaticism thought he had got a particular form of accounts which was particularly valuable, and a soft-hearted Secretary to the Treasury gave him his Return. That puzzled the next person, who was equally anxious to make statistical investigations, and so it had arisen that they had various sets of accounts, and it required the facility of an accountant to be able to reconcile all the different Returns. The Government would undertake to endeavour, to the best of their ability, to introduce more and more simplicity into the accounts. They would try to do without the duplication of accounts, to which the accountants called attention. It was the mass of accounts, quite as much as the want of accounts, which confused the brain of the country; and he undertook, on behalf of his right hon. Friend the Secretary of State for War, and on behalf of the Treasury and the Government generally, that they would endeavour, as the Admiralty had endeavoured, to bring before the House of Commons the cost of all articles in the most simple and business-like form they possibly could. He thought that all Governments and successive Parliaments were more or less responsible for the form of accounts they had got at present in the Ordnance Departments and in other Departments. The right hon. Gentleman was scandalized at the fuss which was made over twopence. He (Mr. Goschen) believed that there was no business firm in the Kingdom who, if their books did not agree, did not hunt to find the cause of the smallest mistake, because the smallest divergence might not mean simply a small error, but might be the result of an enormous set of errors. He trusted that they might now report Progress on this Vote. He assured the right hon. Gentleman (Mr. Henry H. Fowler) that they would be animated by as great warmth in this cause as he had shown this evening, and that they would do their best to assist the House of Commons by reducing the accounts of the country to such a simple form that the taxpayers could understand for what they had paid their money. He begged to move that Progress should now be reported.

THE CHAIRMAN: Perhaps it would be better to move to withdraw the Vote.

Motion made, and Question proposed, "That the Motion be now withdrawn."

MR. HENRY H. FOWLER said, the right hon. Gentleman the Chancellor of the Exchequer had thought it very clever to attack him with a *tu quoque*. No one knew better than the right hon. Gentleman that the accounts of the Ordnance Department no more came under the notice of the Treasury than the accounts of the London and North Western Railway Company. No Secretary to the Treasury could by any possibility see these accounts, and the right hon. Gentleman the Chancellor of the Exchequer knew that as well as he did.

MR. GOSCHEN said, he certainly did not know anything of the kind. He should consider it his duty as Chancellor of the Exchequer to remonstrate with the Secretary of State if he thought the accounts were not satisfactory.

MR. HENRY H. FOWLER asked, if the right hon. Gentleman had ever seen these accounts?

MR. GOSCHEN said, he had examined the expenditure.

MR. HENRY H. FOWLER asked if the right hon. Gentleman had ever seen these particular accounts. He was not going to allow this matter to pass without another remark or two. These accounts cost the country £15,000 a-year. They were presented two years after they were made up. Those Members of the Committee who were present half-an-hour ago heard the noble Lord (Lord Randolph Churchill) describe what they were. In far stronger and better language than he could use, the noble Lord described how absolutely incomprehensible the accounts were. They were so incomprehensible to the mind of the noble Lord that, with the full

concurrence of the Government, the House was asked to appoint two professional accountants to try and make out what they were. There were on the Committee Gentlemen of considerable commercial and manufacturing experience, and they gave up the examination of the accounts in hopeless despair and concurred with the noble Lord in asking for the appointment of professional accountants. The right hon. Gentleman the Chancellor of the Exchequer was not in the House when the discussion commenced. No one had attacked the present Government. No one had attacked the right hon. Gentleman the Secretary of State. This was a question of the permanent officials of the Department, for whom he did not hold the Secretary of State or the Chancellor of the Exchequer or the Financial Secretary in any way responsible. The accounts had been investigated, and all he asked for was that the evidence taken should be placed before the House before they were asked to take the Vote. He very much regretted that the right hon. Gentleman the Chancellor of the Exchequer—not for the first time—should have taken the opportunity of making a personal attack upon him simply to serve a mere personal and political purpose.

MR. GOSCHEN said, he would not retort on the right hon. Gentleman by saying this was not the first time in which he had addressed him in a menacing tone. He rose not to justify himself, but to repudiate the view the right hon. Gentleman had expressed that the Parliamentary Chiefs were to put the responsibility for this state of things upon the permanent officials. The right hon. Gentleman said it was the permanent officials who had been attacked. Personally he held that the Chancellor of the Exchequer and the Secretary to the Treasury for the time being were responsible for the permanent officials, and his point was that the right hon. Gentleman might have discovered that the accounts were not satisfactory. But the state of the accounts had been brought to the notice of the country, not by the indignation of the right hon. Gentleman, but by the acumen of the noble Lord the Member for South Paddington. The right hon. Gentleman said that he (Mr. Goschen) was defending the present Government. He never thought the present Government was attacked, but he contended that the Parliamentary representatives of the Departments had no right to shift the whole responsibility on to the permanent officials. If abuse went on, and if there had been such abuse in the keeping of the accounts as the right hon. Gentleman suggested, all successive Governments, Parliamentary as they were, were responsible, and they could not throw the blame upon the permanent officials. The present Government would do their best to remedy the defects which had been pointed out. The right hon. Gentleman said, because he was a little angry, that he (Mr. Goschen) had justified the present accounts. As a matter of fact, the whole tenour of his speech was that the present accounts were far too complicated, and that they were defective in many respects. The Government were perfectly alive, as alive as any portion of the House, to the defects of the present system: they wished to do their best to rectify them, and in their endeavours they would be glad of the assistance of the right hon. Gentleman and, indeed, of every Member of the House.

LORD RANDOLPH CHURCHILL said, he was very anxious, as it was quite possible the newspapers might call them in question over the item of twopence, and as the keeping of the accounts was a matter of vital importance as one bearing on the changes which the right hon. Gentleman the Secretary of State for War had made, to show that the Committee was alive to the defective state of things. Question No. 1,340, which was put to Mr. Knox, was—

"Now let us pass to the other principal items of their recommendations; passing to the matter of delay, what do you say?"

And the reply of the Accountant General of the Army was—

"As regards the delay in rendering the accounts, I certainly think that that is a thing which not only ought to be avoided, but must be avoided; in fact, the new arrangement of the Estimates, under which the Ordnance Factory is separated from the Army Estimates, and under which the Navy and the Army will pay that establishment for the work it turns out for them, absolutely requires that the balance sheet shall be made up a very short time after the conclusion of the financial year"—

and, mark this—

"And before the Appropriation Account of the Army and Navy is completed. I feel sure that unless that is done the system will break down, and all our energies are turned in that direction to ensure that we shall have the accounts very much earlier than we have had them hitherto."

MR. ILLINGWORTH (Bradford, W.) said, that as a business man, he never expected that we got in a Government Department more than 15*s.* worth for every £1. The very conditions of working made this inevitable, and the moral he drew was, that it would be for the advantage of the country and the credit of the Government if they would curtail instead of being continually extending the Government Manufacturing Department. He had no doubt whatever that the right hon. Gentleman the Secretary of State for War was under the impression that he was doing the country good service by pushing the manufacture of rifles in the Government Manufactory, rather than extending the manufacture to the trade. But the statement made by the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) showed how utterly unreliable and fallacious were the figures upon which the right hon. Gentleman (Mr. E. Stanhope) had proceeded. Every private establishment put as a charge on the business the interest on the capital employed, but this was not taken into account in the Government Manufactory. There was also the depreciation of the premises and machinery, and in a matter involving continued change it was necessary that a very large percentage per annum should be set aside for depreciation. The depreciation figures were given as a matter of account, but they were not made part of the charge of the establishment and part of the cost of every rifle made. Furthermore, a thorough system of inspection was carried on in every establishment in the country, and such a system ought to prevail in the Government Departments.

MR. E. STANHOPE said, that the things which the hon. Member had mentioned were taken into account in estimating the cost to the country of rifles, and all the accountants said of them was that they found fault with the form of the accounts.

COLONEL NOLAN said, that 10 per cent was allowed for depreciation of machinery, and 5 per cent for the depreciation of buildings, and to a great extent this rendered unnecessary the calculation of interest on capital. As to the question of costs, the cost of keeping the accounts in the factory had been positively extravagant. One reason was that there were too many Departments. The articles were priced every year. It stood to reason that if they were priced every four or five years, the cost of keeping the accounts would be very much less. In his opinion the Government ought to have factories to furnish a standard by which other works should be tested.

Motion, by leave, *withdrawn.*

SUPPLY—NAVY ESTIMATES.

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £956,400, be granted to Her Majesty, to defray the Expense of Victualling and Clothing for the Navy, which will come in course of payment during the year ending on the 31st day of March 1889."

DR. TANNER (Cork Co., Mid) said, that this was a very important Vote, and he did not think it was fair that it should be taken at this time of the night. If it was taken, he hoped that some Member of the Committee upstairs would offer some explanation of the Vote. He should have thought that the Army Estimates were quite sufficient for this evening; and, certainly, if they did not hear some explanation of the Vote, he should consider it his duty to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Dr. Tanner.*)

THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON) (Middlesex, Ealing) said, he was surprised at the course the hon. Gentleman had taken, as he was a Member of the Select Committee appointed to inquire into the Navy Estimates. A special Report was made by that Select Committee on this very Vote. That Report was favourable to the manner in which the victualling of the Navy, to which the Vote related, was conducted. Therefore, he did not see why the Committee should not come to a rapid decision on this Vote. The actual

words in which the Select Committee reported upon the Vote were—"The general arrangements appear to be business-like and satisfactory." Under these circumstances, he hoped the hon. Member would see the expediency of withdrawing the Motion.

DR. TANNER said, he was not present when the Select Committee drew up their Report, though, of course, it might be said that that was his own fault. He did not pretend to be a very great adept in criticizing naval accounts; but there were many Members of the Select Committee who showed a great deal of knowledge of naval matters, and who certainly did not express themselves in that happy way, as regarded this Vote, which the noble Lord evidently wished the Committee to believe. He was under the impression that there was shown to be a certain amount of friction between the two branches of the Admiralty who were mainly concerned in completing these Estimates. Accordingly, he thought he was only doing his duty in preventing this Vote passing in silence.

MR. HANBURY (Preston) said, that, of course, there was no reason whatever why the Committee should not discuss this Vote that night. He, however, hoped the Committee would not be led away by the fact that a certain Report had been handed in by the Select Committee. At the time the Committee agreed to its Report, he protested strongly against the inadequacy of the evidence upon which the Report was based. Here they had a very large Vote for the victualling of the Navy; but would the Committee believe that the only two witnesses connected with the Victualling Department who were called before the Select Committee were an official of the Admiralty—who, he believed, never went near the Victualling Yards—and the Director of Contracts for the whole Navy? There was no one called who was in any way directly connected with the Victualling Establishment, and therefore, so far as the Report of the Select Committee related to this particular Vote, it was really no guide to hon. Members.

MR. CAMPBELL - BANNERMAN (Stirling, &c.) said, he was not surprised the hon. Gentleman the Member for Preston (Mr. Hanbury) had made these observations, because in the Select Committee he was one of a small minority which took the line he had now adopted. There was no doubt a great deal connected with the account-keeping in the Victualling Department which had yet to be inquired into by the Public Accounts' Committee; but he certainly thought the Select Committee received enough evidence to justify the Committee in giving the Admiralty the money now asked for. It was a matter of notoriety that the victualling work of the Navy was, perhaps, the best done of any work in the Public Service of the country.

LORD CHARLES BERESFORD (Marylebone, E.) said, he hoped the hon. Member for Mid Cork (Dr. Tanner) would not press the Motion to report Progress. He did not think that any Member who sat on the Select Committee would say that he was an agreeable Member of that Committee. When he (Lord Charles Beresford) was at the Admiralty the victualling was directly under his own charge. He did not for one moment wish the Committee to think that for that reason he was satisfied. There were several things directly under his charge with which he was most dissatisfied. But, as far as his private knowledge went, he believed that the victualling of the Navy was about the best Service we had got. The country certainly got, in regard to victualling, value for its money. It was perfectly true, as the hon. Member for Preston (Mr. Hanbury) had said, that there were very few witnesses called before the Select Committee in respect to this Vote. The reason of that was that the Committee got all they wanted to get out of the witnesses who were called. The evidence was most satisfactory, and, therefore, he hoped the hon. Member would not press his Motion.

MR. CREMER (Shoreditch, Haggerston) said, the noble and gallant Lord the Member for East Marylebone (Lord Charles Beresford) had just told them that the country got value for its money——

LORD CHARLES BERESFORD: In respect to this Vote.

MR. CREMER said, he should like the noble and gallant Lord to tell them whether the Report was true that men were to be found who lived by buying surplus stores of vessels?——

THE CHAIRMAN said, that at present the Motion before the Committee was to report Progress. This Vote could not be discussed until that Motion was withdrawn.

DR. TANNER said, that, after the request made by the noble and gallant Lord (Lord Charles Beresford), he should certainly ask leave to withdraw the Motion. At the same time, he hoped that the Committee would thoroughly understand his motive in making the Motion. That, in his opinion, was a Vote of great importance, and it was as well that it should not pass without comment.

Motion, by leave, *withdrawn*.

Original Question again proposed.

MR. CREMER said, he wished to ask the noble Lord the First Lord of the Admiralty (Lord George Hamilton) what was done with the surplus stores of vessels when they returned from sea and were paid off? The allegation current at our chief naval stations was that there existed a class of men who lived by buying from the Government the surplus stores of vessels, such stores, for instance, as wine, spirits, beer, and tinned meats. It was said that, instead of these goods being transferred to other vessels, they were disposed of at a half and sometimes two-thirds less price than had been paid for them, that they were retained for a time by the men who made a living in this way, and then re-sold to the Government for victualling other ships at the prices originally paid for them. He wished to know from the Government whether this system really did prevail in our naval depôts, because, if it did, he could not concur in the statement just made that the nation got value for its money? Any commercial firm that had to make purchases and found surplus stores in vessels coming home would transfer them to other ships. That, however, did not seem to be the case with the Government, and he had frequently heard it stated at the Portsmouth and Plymouth Stations that there was a class of men who lived well, and sometimes realized large fortunes, by the purchase of stores under the conditions he had mentioned.

COLONEL HILL (Bristol, S.) said, that, as a Member of the Committee on the Navy Estimates, he should like to say a word upon this Vote. He had paid great attention to the evidence given, and was satisfied with it. He looked at the result, and it was with an experienced eye, for he was a shipowner himself and knew something about the cost of victualling men. He did not hesitate to say that the victualling was done by the Government on most economical terms. The cost to the Government was 1*s.* 1½*d.* per man per day, a result which he, as a private shipowner, never hoped to arrive at. It was a result which he was sure could only be arrived at by the exercise of the greatest economy in the purchase of stores, and in the manner in which they were used. He had particularly noted the evidence as to the manner in which the accounts were kept, and the comparison drawn as to the amount of stores served out for the men and the actual consumption, and he could only say that he was perfectly satisfied with that evidence. Any system which gave such a good result as that which he was describing was one which ought to give unmitigated satisfaction to the taxpayers of the country at large.

CAPTAIN PRICE (Devonport) said, he was always glad to hear when there had been any economy effected in the Service; but he was bound to say that economy in the matter of victuals given to the men—economy in provisions—was not always very wise. He did not say that the Government had not been prudent in this matter; but he should like to have some explanation of one or two particulars of this Vote. He found that there were large savings made in the amount for victualling the Fleet. There was a reduction of £53,000 upon the provisions supplied to crews, and of £59,000 for seamen's clothing, soap, and tobacco. There was also incidentally a reduction of £3,000 in the amount of relief given to men in hospital. So that under the headings of provisions and clothing in the Fleet and hospitals they had a reduction of £115,000 this year over what it was last year. He did not see any explanation of that in the Estimates. These Estimates were framed in rather a new way, and he (Captain Price) and others had not yet been able to grasp their peculiarities. In view of the fact that the number of men in the Fleet was reduced by only 100, he should like to know what this reduction for provisions and clothing meant? Though

there was this large decrease in the cost of provisions and clothing, there was a satisfactory increase in the amount paid to the men in lieu of provisions not taken out. How were they to reconcile these two facts?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD) (Lancashire, Ormskirk) said, that in reply to the question of the hon. Member for the Haggerston Division of Shoreditch (Mr. Cremer), he could assure the hon. Gentleman that the course pursued was this. When vessels returned from their commissions, the stores on board were examined by a board of officers to see if they were in such a condition that it would be wise to put them on other vessels going away on long commissions. The stores of themselves might not be actually unserviceable, but they might be in such a condition that it would not be wise to put them on vessels that might be going on long voyages in tropical seas; therefore, those stores which were not considered fit for reshipment on examination by the board of officers were sold. The prices realized for these stores were very often very good prices. For example, biscuit which cost about 10*s.* 6*d.* per cwt., now sold in the way he described at 8*s.* or 9*s.* per cwt.; but the stores so sold were never bought again into the Service. It was much more economical to sell out stores which would not stand a long sea-voyage, than to put them on board outward-bound ships, because they might become worthless abroad. It was better to examine them at home and consume them at home than to sell them abroad where they might be, perhaps, of the very smallest value. Then, as to the question raised by the hon. and gallant Gentleman the Member for Devonport (Captain Price), there was considerable reduction, as he pointed out, in the clothing and food; but that arose from the fact that they had a larger stock than usual on hand at the end of the last financial year. After making allowance for the increased stock they were able to buy out of the economies of last year, there was no necessity for such large purchases to be made this year as there was last year.

MR. R. W. DUFF (Banffshire) said, he did not rise to offer any observations as to this Vote; but he wished to call the attention of the noble Lord the First Lord of the Admiralty (Lord George Hamilton) to the fact that a great many of the items of this Vote were under the control of the Accountant General of the Navy. They had had some difficulty in Committee in ascertaining what the duties of the Accountant General of the Navy were, and he (Mr. R. W. Duff) wished to inquire what steps the Navy intended to take to carry out the Report of the Committee?

LORD GEORGE HAMILTON said, the Report alluded to called attention to the different interpretations put by themselves and the Navy on these duties. The Report suggested that the matter was one which should immediately occupy the attention of the Government, and that the Government should, as soon as possible, come to some decision upon it. Well, the question was under the consideration of the Government, and in a very short time a final conclusion on the points at issue would be arrived at. The Vote was under the control of the Junior Naval Lord.

MR. R. W. DUFF said, he referred to the first item, Salaries and Allowances.

LORD GEORGE HAMILTON said, yes; the administration of the Vote was under the Junior Naval Lord.

MR. CAMPBELL-BANNERMAN said, as he understood it, the Government were endeavouring to bring about a solution of that question. Did the noble Lord hope soon that a final conclusion would be come to?

LORD GEORGE HAMILTON: Yes.

LORD CHARLES BERESFORD asked, would the noble Lord give the Committee a definite assurance that the position of the Accountant General in the Navy——

THE CHAIRMAN: Order, order! The question is quite irrelevant to this Vote.

DR. TANNER said, he thought that the Committee should be enlightened on one or two points—upon points which happened to be under discussion in the Committee upstairs on those days when he happened not to be present. He might say, for the purpose of putting himself right with the Committee, that he found great difficulty in attending the meetings of the Select Committee. The main difficulty was that he was on another Select Committee which sat on the same day and at the same hour, and hon.

Gentlemen would admit that Members were not now-a-days, like Sir Boyle Roche's bird, able to be in two places at one time. There were some points which deserved special consideration, notably item "I" for beer money. They all knew the great partiality of the present Government for beer, and when anyone took up these Estimates and looked into them, they found that their liking for beer and their desires in favour of the people who produced beer took a practical shape. They found that the beer money allowed to the Marines on shore amounted to £7,250, which was an increase on the Vote for last year. He found in every other item that, wherever there was any possibility of cutting down, the Department had cut down. It was only this individual item—and to this he wished to direct the attention of the hon. Baronet the Member for Cockermouth (Sir Wilfrid Lawson)—which had increased, and the addition this year was some £250. What followed? Why the very next item, the excess account for bread and meat—which he supposed were necessary commodities even to Marines—beyond the 4½*d.* a day charged for the combined ration, was £2,700, although last year it amounted to £4,850. He thought some explanation of these items was absolutely necessary. How did they come to be set down in this way? Were the men to be starved in order that the publicans might prosper —were they to get less meat and bread in order that they might have extra rations of porter? He hoped hon. Members in that House who had forced Her Majesty's Government to drop the Licensing Clauses of an important Bill now before the House would take this matter up and demand an explanation. They would get that explanation just as they had very righteously got the Licensing Clauses dropped. He could not understand how the peculiarity in the Votes to which he called attention occurred. If the Government fed their sailors and marines on beer and porter, the men would not be good fighting men, especially if at the same time the Government cut down what was absolutely necessary for them—namely, bread and meat. If he did not receive a satisfactory explanation from the noble Lord, he should find it necessary to move the reduction in the excess money spent in this way.

Dr. Tanner

CAPTAIN PRICE said, he should like to have a satisfactory explanation of these differences. The amount of stores used afloat and ashore was about the same this year as last year; but he understood they had a decrease of £115,000 in the charge. They had bought £115,000 worth of stores less this year than last year. That was a large sum, and he trusted that the Committee would hear that that was a satisfactory state of things. He hoped it did not arise from any depletion of the authorized establishment, though that might account for a large decrease in the amount of stores purchased. They had heard before of such things as stores being depleted in order to show a saving in the Estimates.

MR. FORWOOD said, they had savings last year in the matter of stores and clothing, and concluded the year in possession of excesses over the authorized establishment. That fact obviated the necessity of their having to buy the customary quantity in the coming year. During the coming year they would maintain the establishment.

CAPTAIN PRICE asked what was the authorized establishment? There was nothing in the Estimates to show it. There was no stock-taking, and nothing, therefore, to show what stock the Government had last year and what they had now.

DR. TANNER said, that perhaps it would be of benefit, in connection with this Vote, especially to help the House to understand the amount of stock in hand, if these Votes were arranged somewhat in the method of the Army Votes which had been under consideration that evening.

MR. FORWOOD said, stock was taken every year to ascertain the quantity of victuals in hand; but it had not been customary for some years past to place a value upon that stock. However, he was in hopes that by the arrangement recently made they would be able to show, not only the quantity of stock in hand, but also its value.

CAPTAIN PRICE: In the Estimates?

MR. FORWOOD: Yes; in the Estimates. Then as to the authorized establishment, that varied according to the Victualling Yards, and according to the demands of the Service. The amount of stores was provided upon a regular basis according to the consumption and

the number of men maintained. The increase in the item for beer was due to the increase in the number of men receiving beer money.

DR. TANNER said, he should like to understand this matter. Did he understand the hon. Member to mean that there were more Marines?

MR. FORWOOD: Yes; on shore.

DR. TANNER: More Marines on shore this year than there have been before?

MR. FORWOOD: Yes.

DR. TANNER: And, therefore, you have an increase in this money?

MR. FORWOOD: Yes.

DR. TANNER: Then, in respect to the reduction in the item for bread and meat, is it due to a falling-off in the price of those commodities?

LORD GEORGE HAMILTON said, the beer money was for the Marines who would be on shore. Last year the amount was estimated at £7,000, and that estimate was more or less correct. This year there would be an increase in the number of Marines on shore, and consequently there was an increase of £250 put down in respect of the increased amount of beer they would consume. As to bread and meat, the falling-off in this excess expenditure was owing to the contracts made for supply, these being lower this year than they were last year. This decrease accounted for the difference between £2,700 and £4,800.

MR. ARTHUR O'CONNOR (Donegal, E.) said, that as to the answer given by the hon. Gentleman the Secretary to the Admiralty (Mr. Forwood) just now, when the hon. and gallant Member for Devonport (Captain Price) asked a question as to the reduction in the charge for victuals in the present year's accounts, he was informed that an abnormal quantity had been purchased in the previous year, and that that purchase had been effected by using certain savings. He (Mr. Arthur O'Connor) desired to ask the noble Lord the First Lord of the Admiralty whether those savings were obtained upon the Naval Vote, or whether they were obtained upon other Votes, because if they were obtained upon the Victualling Vote of the Navy it was clear that the Victualling Vote must have been largely in excess of the requirements, otherwise there would not have been an abnormal amount of stock in hand at the end of the financial year. And then, if the savings were made upon other Votes, they came upon an important question as to the financial administration of the Admiralty. If the Navy was to be allowed to obtain for any one of half-a-dozen different purposes or services money which was not required for those services, and was to be able to divert the money so obtained without the knowledge of Parliament to the purchase of stores in excess of the amount which the Department had claimed from Parliament in the first instance for the purchase of these stores, he contended that the control of Parliament over this expenditure was shown to be altogether illusory. The question of the application of the savings on these different Votes really did involve the question of the financial arrangements of the Department generally. He would ask the noble Lord the First Lord of the Admiralty if he would be able to supplement the answer given by the hon. Gentleman the Secretary to the Admiralty by saying whether these savings were obtained from the Victualling Vote or from other Votes?

LORD GEORGE HAMILTON said, that a certain proportion of the sum in question was from savings on this particular Vote, and a certain proportion was under other Votes; but as the hon. Member was aware that no appropriation of savings under any Vote could be devoted to a purpose other than that for which it was originally asked, except with the consent of the Treasury, therefore care had been taken to obtain that sanction. He admitted that if the practice of asking for more money than was required in order afterwards to obtain the sanction of the Treasury to devote the money to other purposes than that of the Vote were countenanced proper control over the money voted would not be exercised by Parliament. But the hon. Member would see that no Department could exactly estimate its wants at the beginning of the year. Very often great waste occurred when a Department was forced to surrender a considerable amount of savings at the end of the year over which it should have control. When they had to purchase stores for ships in the course of construction the optional power which the Treasury exercised of giving sanc-

tion from time to time to the use of savings was very much to the benefit of the Public Service; but the matter always came under the cognizance of the Public Accounts Committee and the Comptroller and Auditor General. The Committee might rest assured that ample safeguards were adopted in these matters.

MR. ARTHUR O'CONNOR said, it was true that very long afterwards there was made to the Public Accounts Committee a report of the savings under each head of the Estimate, and of the excess also under each head, and that there was a balance struck which showed the total excess or saving on each particular Vote; but that was so long after the event that for all purposes of practical control it was worthless. What he would ask the First Lord of the Admiralty to do in the present instance would be to show, or to give to the House figures showing, the amount of savings on large Votes that were drawn upon for the purpose now under discussion, and what was the amount saved under the Victualling Vote itself. It would be perfectly clear to hon. Members, if they would reflect for a moment, that if the transfer of savings on different Votes was to be made merely on the sanction of the Treasury—on permission given in a general form—there was nothing to prevent a Department from appropriating money voted by Parliament for a purpose or for purposes which could never be properly traced in the Parliamentary accounts. It was all very well to say that the Comptroller and Auditor General brought this question before the notice of the Public Accounts Committee, but he did not do it in such a way as to show what were the specific items in regard to which the expense had been incurred—he merely reported as to the total expenditure, what were the original items and which were the new items he was not concerned with, and the Public Accounts Committee never knew. If they were to have a proper control over the funds of the Admiralty or the War Office, it was absolutely necessary that before the consent of the Treasury was obtained for the appropriation of a saving effected under one head of expenditure to another head of expenditure, the reason of the excess and the manner of the saving should be set forth in detail, and those details should be laid before Parliament. He did not think that was too much to ask, and he was sure the noble Lord the First Lord of the Admiralty would not object to this so far as his Department was concerned.

LORD GEORGE HAMILTON said, he was afraid he could not give the exact saving on this particular Vote last year, but if the hon. Member would put a question to him on Report he would be very glad to give him all the information in his power.

MR. CONYBEARE (Cornwall, Camborne) said, that, however satisfactory the answer of the noble Lord might be to the hon. Gentleman the Member for East Donegal (Mr. Arthur O'Connor), he did not think the Committee at large would hold it to be satisfactory. He thought they had a right to ask that the details of these savings should be set before them before they voted this money in Committee. Hon. Members were sent there as guardians of the public purse, in order to see that these accounts were correct. He had long ago come to the conclusion that the Army and Navy Estimates were, as was once said, "things which no fellow could understand." They had heard, at all events, that night, that those best qualified to judge did not know anything about them, so that it was useless for him (Mr. Conybeare) to endeavour to fathom those mysteries. At any rate, it would be still less possible to understand those Votes if the noble Lord, and those responsible for them, did not give them all the information in their power. It seemed to him in the highest degree essential that such information should be forthcoming, and that the Committee should not be told to wait for it until the Votes were passed and the Report stage was reached. He was not going to follow his hon. Friend (Mr. Arthur O'Connor) into the general question of waste; but he would like to ask the noble Lord in charge of the Vote one or two questions about some matters which had been brought under his own cognizance. In the first instance, with regard to the question of the waste of stores. He could only say he believed, from the enormous quantity of material, whether in the form of boots, clothing, accoutrements, or equipments for the Army, which he had seen exposed for sale in this country

and elsewhere—and seemingly not in respect of the faulty character of the articles—that there must be enormous waste, and he would ask the noble Lord at the head of the Admiralty whether he could throw any light on the matter? He wished to know how it was that such enormous quantities of articles which had evidently been issued for Government yards could find their way into the shops—such enormous quantities as he had seen offered for sale in the course of his journeyings in Southern parts? It could not be said that these articles were second hand—they had every appearance of being new, and of having got out of Government yards in some mysterious fashion into the Kaffir stores and some other strange quarters in South Africa, and, he supposed, in other parts of the world also. The question of boots had come under his notice especially in connection with this point. They were able to purchase these Government-made boots at a ridiculously small price in all sorts of places. He knew a shop, not far from where they were now sitting, where they could purchase any number of these boots. He had happened to come across a gentleman some little time ago who was able to throw some light upon this subject, and this gentleman had told him that one reason for this extraordinary and abominable waste of articles of clothing supplied to the Army and Navy was the faulty character of the inspection. There were inspectors who might be appointed because they knew everything or because they knew nothing in connection with the supply of boots and shoes in the Navy, and he believed it was the same in the Army. These men would go round and declare, in the most superficial manner, whole tons of fairly good articles condemned because, perhaps, they might not be made exactly according to their particular fad or fancy—because the seam of a boot was a little too much to the right or to the left, and such like reasons. Everyone who understood anything about boot-making knew that when they were made in wholesale quantities they were made exactly the same, and it seemed to him absurd when they got them at 6*d.* a-pair—as they had been led to believe lately that some Boards of Guardians procured them—those boots should be thrown upon the market and wasted for no earthly reason but because they had not happened to square with the particular view of the individual who was given the control of the whole matter, and who very likely knew nothing whatever about boot-making. There was another question, in reference to beer money, which had been referred to. He thought this beer money was money supplied to the men in lieu of beer. He should like to know if he was right or not? From what was said just now it appeared to him that this money was supplied to the men to provide them with extra beer. If that were the case he should certainly object to the item, and in order to elicit further information on the matter he begged to move the reduction of the Vote by £250.

Motion made, and Question proposed, "That a sum, not exceeding £956,150, be granted for the said Service."—(*Mr. Conybeare.*)

MR. FORWOOD said, that this was money paid to the men in lieu of beer. As to the remarks which had been made with regard to the waste of stores, it would be satisfactory to the hon. Member to learn that the total loss of stores by waste and condemnation in the Navy had not amounted to more than 1 per cent without deducting the proceeds of the sale of old stores. It was impossible to put a full statement before the House as to the past year, because the accounts had not yet come in from all parts of the world. It took six months for them all to come in, and they could not be known till the end of September. He hoped the hon. Member would withdraw the Motion.

DR. TANNER said, that he also would appeal to the hon. Gentleman to withdraw the Motion, as there was another item which he (Dr. Tanner) would like to get some explanation of.

MR. CONYBEARE said, he did not wish to stand between the Committee and the Vote, but he had a very important question relating to a matter upon which he had questioned the noble Lord the First Lord of the Admiralty upon another Vote. It was in regard to the Island of Ascension—and he saw here an item for live stock in that Island. The noble Lord would remember that he (Mr. Conybeare) had abstained from going into that matter on the last occasion. He would now

claim the right to put before the noble Lord certain facts——

MR. AIRD (Paddington, N.): I claim to move, "That the Question be now put."

Motion, by leave, *withdrawn*.

Original Question again proposed.

THE FIRST LORD OF THE TREASURY (Mr. W. H. Smith) (Strand, Westminster): Looking at the hour (one minute to 12), might I ask that the whole Vote be taken now? Any information the hon. Member desires can be given on Report.

DR. TANNER said, he begged to move the reduction of the Vote by £3,000 in respect of the cost of the Island of Ascension. He would move this reduction in order to give full facilities for discussing the question.

MR. AIRD: I claim to move, "That the Question be now put."

THE CHAIRMAN: The Question is that the Question be now put.

DR. TANNER (seated, and with his hat on): Might I ask you, Sir, what is the Question to be put? I have moved an Amendment.

THE CHAIRMAN: It is impossible to hear the hon. Gentleman seated, except on a point of Order.

Question put.

The Committee *divided*:—Ayes 198; Noes 85: Majority 113.—(Div. List, No. 173.)

Original Question put accordingly, and *agreed to*.

MR. CONYBEARE asked, when the Government proposed to take the next stage of the Vote? In asking that, he wished to point out the exceedingly shabby manner in which he had been treated.

MR. SPEAKER: Order, Order!

MR. CONYBEARE continued: He had been distinctly asked, when he raised the question of the Island of Ascension, to postpone discussion to this Vote; and when the Vote came on, and he was about to place his views before the Committee, the question was promptly closured. Before that the Government professed themselves willing to give ample time for the discussion of the subject, and he now asked if the Government would give an opportunity on the Report stage, taking that stage before 12 o'clock?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, it was intended to take the Report stage on the following evening, but if it was not reached before 12 o'clock it would be postponed to a later day.

Resolutions to be reported *To-morrow*.

Committee to sit again *To-morrow*.

CONSOLIDATED FUND (No. 2) BILL.

(*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. CONYBEARE (Cornwall, Camborne) said, before the Bill was read a second time he should like to know something about it. The Consolidated Fund appeared to be a mysterious entity, which had always perplexed the minds of Members. Whenever they asked to have some control over Bills in relation to it, they were told they were unable by Rule to have such control. The present Bill proposed that the sum of £5,500,000 or more should be issued out of the Consolidated Fund to meet the expenses of the Services for the year ending March 31, 1889, and it also gave borrowing powers to the Commissioners in relation to the said sum. It was important that the House, in view of the growing practice of the Government to take upon themselves to closure discussions on the Votes in Committee, when a Bill of that kind was brought forward, should exercise the right of requiring some explanation, and, if need be, of criticism.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N) said, a few words should satisfy the hon. Member. The Bill merely gave effect to the Resolutions already passed, and enabled the money already voted by the House for the service of the year to issue from the Consolidated Fund. It was one of the necessary stages of these financial transactions on purely formal matter; but he would be doing an injustice to the hon. Member if he were to assume that the hon. Member was not perfectly well acquainted with that.

Question put, and *agreed to*.

Bill read a second time, and *committed* for *To-morrow.*

LUNACY ACTS AMENDMENT BILL [*Lords.*]—[BILL 228.]

(*Mr. Secretary Matthews.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Second Reading be deferred till Thursday next."

DR. TANNER (Cork Co., Mid) said, he desired to know if there was really any intention of taking the Bill on the day mentioned? It presented a subject in which a great number of Members were interested, notably Members connected with the Medical Profession.

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth) said, he did not understand that there was any contention on the question of principle. He hoped to bring the Bill upon Thursday, or, at all events, to find another opportunity then.

MR. CONYBEARE (Cornwall, Camborne) said, many questions arose in relation to the Bill.

Question put, and *agreed to.*

Second Reading *deferred* till *Thursday* next.

SUPREME COURT OF JUDICATURE (IRELAND) ACT (1887) AMENDMENT BILL.—[BILL 281.]

(*Mr. Chance, Mr. T. M. Healy, Mr. Maurice Healy.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Chance.*)

MR. RADCLIFFE COOKE (Newington, W.) objected.

MR. CHANCE (Kilkenny, S.) asked the indulgence of the House to be allowed to say that the Bill, which was agreed to by the Government, was simply an Amending Bill to remove a technical difficulty which placed the Court of Appeal in Ireland in a somewhat ridiculous position, and there could be no reasonable objection to it. He only asked that the formal stage be now taken.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) said, so far as the Government were concerned, there was no objection to this stage.

Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title and construction).

Committee report Progress; to sit again *To-morrow.*

LAND LAW (IRELAND) ACT (1887) AMENDMENT BILL.

CONSIDERATION OF LORDS' AMENDMENTS.

Lords' Amendments to be considered *forthwith.*

Lords Amendments *considered.*

Page 1, line 10, to leave out from "consent," to "notwithstanding," in line 16, in order to insert "has been established by evidence satisfactory to the Court," the first Amendment, read a second time.

MR. T. M. HEALY (Longford, N.) said, there was one suggestion he should like to make, to add, after the word "evidence," the words "by repute or otherwise." The words "legal evidence" might be open to great differences of opinion. He thought the words of the hon. Member for South Tyrone (Mr. T. W. Russell) were much better, and that the Court should have that discretion it would have if these words were inserted, "by repute or otherwise." He admitted it involved a nice legal point.

Amendment proposed, after the word "evidence," to insert the words, "by repute or otherwise."—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

MR. T. W. RUSSELL (Tyrone, S.) said, the words standing were, "evidence satisfactory to the Court." He did not pretend to be a lawyer; but he thought that all that was required was that the evidence should satisfy the Court. One effect of inserting the Amendment would be to delay the measure, and that he was anxious to avoid, for he knew that in view of the Bill many appeals had been held over.

MR. MAURICE HEALY (Cork) said, the answer to the hon. Member was that

evidence before the Court must be legal evidence, and on that ground evidence by repute should be admissible.

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) said, he did not think the usual rules of evidence should be altered for one particular Statute. The Lords' Amendment appeared to him to be quite right; it required that the evidence should be satisfactory to the Court—that was to say, evidence that would ordinarily be received in a Court of Justice. He did not think that they ought to insert a provision altering the ordinary Law of Evidence on the point.

MR. MURPHY (Dublin, St. Patrick's) said, he thought the point in question ought to be satisfactorily settled, and to give the opportunity for that he would suggest a postponement.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Murphy.*)

MR. T. W. RUSSELL said, it would not be with his consent the debate should be adjourned.

MR. JOHNSTON (Belfast, S.) appealed to the hon. Member (Mr. Murphy) not to insist on that Motion.

MR. T. M. HEALY said, from the respect he had for the hon. Member, he would recommend the withdrawal of the Motion.

MR. MURPHY assented.

Motion, by leave, *withdrawn.*

Proposed Amendment to Lords' Amendment, by leave, *withdrawn.*

Lords' Amendment *agreed to.*

Further Amendment, in page 2, line 2, to leave out "equitable," and insert "under such equitable assignment," read a second time.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

MR. T. M. HEALY said, it was a most unsatisfactory course that these Amendments imported into the Bill by the Lords should be moved without there being any opportunity of judging the effect. He had always protested against such a course, and thought some little explanation of this Amendment was due to the House.

MR. MADDEN said, the Bill was in charge of the hon. Member for South Tyrone (Mr. T. W. Russell).

MR. T. W. RUSSELL said, for his own part, he could not see that the Amendment made any change whatever; it seemed to him just a difference of phraseology.

MR. CONYBEARE (Cornwall, Camborne) said, he thought it was a valid objection that had been raised. For his own part, he always objected to taking Lords' Amendments at such an unearthly hour; they were always alterations for the worse. He had never known the Lords improve a Bill. ["Oh, oh!"]

MR. SPEAKER: Order, order!

MR. T. W. RUSSELL said, he might mention that he communicated with the hon. and learned Member for Longford (Mr. T. M. Healy) during the afternoon, and it was with the assent of the hon. Member that the Amendments were now taken. As to the Amendment itself, it was for the House to judge.

MR. T. M. HEALY said, it was true the hon. Member showed him the first Amendment, and he said he would raise no objection to it, and he had kept his word; but, as regards this second Amendment, he never heard of it before, and he could not even gather what it referred to. Further, he did not know that there was a Member in the House who knew anything about it. Was it worthy of the House of Commons to pass a matter of the kind blindfold?

MR. SPEAKER: I may remind the hon. and learned Member that if he continues to object, the debate, of necessity, must be adjourned.

MR. MADDEN said, the Bill was in charge of the hon. Member opposite, but the phraseology of the Bill as it left the House, and as it would be with the Amendment, was present to his mind; and though he would give what explanation he could, if the House desired, it was a technical matter, and if there was a wish to postpone it for consideration the Government did not object. ["No, no!"] The clause, as it stood originally, provided that the word "assignment" should include an equitable assignment for the purposes of the Bill, and then went on to provide that the word "lessee" should include the person equitably entitled to the interest under the lease. The Amendments of the Lords left the first part untouched, providing that an equitable assignment should be included for the purposes of the Bill, and

then went on to provide that the word "lessee" should include the person entitled under such assignment. Instead of the words "equitably entitled to the interest of the lease," they should be "entitled under such equitable assignment."

Amendment *agreed to.*

Another Amendment, in page 2, after "1888," insert, "The Land Law (Ireland) Act, 1887, shall be read as if this Act were incorporated therewith."

MR. MADDEN said, he thought there would hardly be any objection raised to this.

Amendment *agreed to.*

House adjourned at twenty-five minutes before One o'clock.

HOUSE OF LORDS,

Friday, 22nd June, 1888.

MINUTES.]—SAT FIRST IN PARLIAMENT—The Lord Hawke, after the death of his father.

PUBLIC BILLS — *First Reading* — Companies Clauses Consolidation Act (1845) Amendment * (170); Distress for Rent (Dublin) * (171).

Second Reading—Committee negatived—Customs (Wine Duty) (169).

Committee—Coroners (36).

Committee — Report — Local Bankruptcy (Ireland) (93); North Sea Fisheries (158).

PROVISIONAL ORDER BILLS — *First Reading*— Local Government (No. 8) * (172); Local Government (No. 10) * (173); Local Government (No. 11) * (174).

Second Reading—Gas (No. 2) * (148); Local Government (Highways) * (149); Local Government (No. 7) * (150); Local Government (Port) * (151).

Committee—Report—Local Government (No. 3) * (139); Local Government (No. 4) * (140); Local Government (Poor Law) (No. 6) * (141); Tramways (No. 1) * (143).

INDIA — HINDOO MARRIAGE LAW — RUKHMABAI'S CASE.

QUESTION. OBSERVATIONS.

THE BISHOP OF CARLISLE asked the Secretary of State for India, with reference to the case of the Hindoo lady Rukhmabai, Whether it was coming home by way of appeal to Her Majesty's Council from the Government of India, or whether the Government of India was taking any steps with regard to it? The case involved a very broad question which affected not only the unfortunate lady herself, who had been put into prison because she refused to live with her husband, to whom she was betrothed when a child, but also the happiness and domestic life of all Hindoo women. If the noble Viscount could give any information on the subject, it would be very acceptable.

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): We have no recent information regarding Rukhmabai's case. The latest, which is taken from the proceedings sent home by the Government of India, relates to the issue last year of a letter from that Government to the several Local Governments as to proposed amendments of the Civil Procedure Code, 1882, in its provisions relating to the execution of decrees for restitution of conjugal rights. We are not yet aware whether replies have been received from the Local Governments.

CHURCH PATRONAGE (SCOTLAND) ACT, 1874.

MOTION FOR A SELECT COMMITTEE.

THE EARL OF MINTO, in rising to call attention to the composition of the electorate to which the appointment of ministers to vacant parishes in Scotland has been entrusted by Parliament under the authority of the Church Patronage (Scotland) Act, 37th and 38th Vict., chap. 82 (1874); and to move—

"That a Select Committee be appointed for the purpose of considering the provisions of the Church Patronage (Scotland) Act, 1874, and whether some part of the responsibility for the appointment of ministers to vacant parishes in Scotland might not properly and advantageously be extended to the parochial public by means of 'the heritors of the parish (being Protestants) and the elders,' or the heads of families, or committees of the ratepayers, or otherwise,"

said, that although this subject might be uninteresting to their Lordships, he felt more than justified in asking them to listen to him for a few minutes, and to consider whether certain provisions of the Patronage Act of 1874 were not faulty and did not call for amendment. That was a disfranchising or disabling measure, as well as an enfranchising one. The system of patronage existing at that time was then abolished, and a new system substituted by the creation

of a totally new body of patrons or electors. The Patronage Act was, he contended, based on principles utterly unprecedented in Scottish parochial history. It furnished the first instance of any Protestant patrons or electors being placed under statutory religious disabilities in the nomination of ministers to the congregation of a vacant parish. For the first time in history it enfranchised females wholesale, and, also for the first time in history, it bestowed the franchise on minors. When he affirmed that these things were novel and unprecedented, he meant unprecedented not only in Acts of Parliament, but in Acts of the General Assembly also. Church membership was the basis of the new electorate. It began at about the age of 15. It signified in its very nature religious disabilities. Outsiders of all sorts and kinds were kept at arm's length, though many of them were deeply interested on their own account, and in behalf of the parish, in the appointment of the best possible man for the place. Under this Act, the electorate consisted, first, of all persons, without regard to sex or age, who were on the Communion roll; and, second, adherents above 21 years of age. An electorate built on these foundations naturally presented strange results. The Scottish population, as shown by the Census tables in 1881, was 1,799,475 males and 1,936,098 females, being a female preponderance of 136,623. The Return of communicants in Scotland in 1874 showed 197,592 males and 262,074 females, or a female preponderance of 64,482. From a House of Commons' Return in June, 1874, it appears that there were in Ayrshire 12,644 male and 16,661 female communicants; in Bute the respective figures were 201 and 413; in the county of Edinburgh, 15,504 and 23,714; and in Forfarshire, 16,933 and 24,644; the total showing a female preponderance of 20,150. A House of Lords' Return, issued in 1877, of communicants and adherents in parishes in which elections had taken place under the Act of 1874, showed that there were in these parishes 14,505 male and 23,019 female communicants, and 1,055 male and 688 female adherents, giving a female preponderance of 8,147. The juvenile portion of the electorate—those under 21 years of age—were, perhaps, 10 or 15 per cent of the whole, and the female element preponderated here also, in consequence of the early age at which girls received the Communion. The history of the two franchises was curious. As to the female franchise, he was unable to trace the origin of the idea. The fathers of the Scottish Church and of the Free Church had no such ideas. Dr. Chalmers wished the "male heads of families in full Communion with the Church" to be electors. The General Assembly of 1842 made male communicants of full age electors for the appointment of elders. As to the minor franchise, it was the result of accident or oversight. He proposed in his Motion some modification of the principle of exclusiveness, and he had authority for that in the Act of 1690, establishing the heritors as the electors—the only condition being that they were Protestants; and he had also the authority of the General Assembly, who petitioned in 1874 that the legislation of the year should proceed on historical precedent, and that the heritors ought to be among the constituent bodies who were to elect the minister.

Moved, "That a Select Committee be appointed for the purpose of considering the provisions of the Church Patronage (Scotland) Act, 1874, and whether some part of the responsibility for the appointment of ministers to vacant parishes in Scotland might not properly and advantageously be extended to the parochial public by means of 'the heritors of the parish (being Protestants) and the elders,' or the heads of families, or committees of the ratepayers, or otherwise." — (*The Earl of Minto.*)

LORD BALFOUR said, he wished to say a few words upon this question before the noble Marquess the Secretary for Scotland replied on behalf of the Government. When he first saw the Notice on the Paper he had grave doubts whether it was intended as a proposal for serious discussion, but as the noble Earl had brought it before their Lordships he supposed it must be treated seriously, and that some considerations should be placed before the House upon the other side. It was, however, somewhat remarkable that, so far as he could learn, there was no one but the noble Earl himself who was in favour of the proposal, and in a letter written to a newspaper a few weeks ago the noble Earl himself admitted that the proposal would be opposed by the friends of the Church, by those who wanted Disestablishment, and that the

general public were absolutely indifferent in regard to it. If that were so, he should like to know in whose interest the proposal was really made? They would also notice that the Motion had been somewhat ingeniously altered since it first appeared on the Paper. As it originally stood it was "the heads of families or committees of the ratepayers or otherwise," but it had now been altered by the addition before the words "the heads of families" of these words, "the heritors of the parish (being Protestants) and the elders." Anyone who knew anything of the question knew that those words were a quotation from the Act of 1690, which was known in Scotland as the Revolution Settlement. From the Notice and some parts of the noble Earl's speech the House would be led to believe that the heritors (if Protestant) and elders had power to appoint ministers; but that was not so. The only power given to elders and heritors was that they should propose a person for the parish, who should be approved or disapproved by the congregation. The noble Earl had raised the question whether the electorate in those days was composed of men or women or both. He supposed in those days the congregation was composed of females as well as males, and, therefore, they had a right to assume that the object of the Act of 1690 was to put the power of appointment into the hands of the whole congregation. That system worked well while it existed, but it was disturbed by an Act of Queen Anne passed in 1712, imposing patronage on the Church of Scotland. He would tell their Lordships that for nearly a century the Church had never ceased to protest against the passing of that Act and the manner in which it was passed, and claimed the restoration of what they regarded as the right of the Church in the appointment of ministers. His contention was that the Act of 1874 introduced no new principles whatever into the election and appointment of ministers, but simply restored to the Church what it had, from the time of the Reformation downwards, always claimed to be her simple birthright. The idea which lay at the root of the organization of the Presbyterian Church was that its government was a government by the whole body of its members for their own benefit. The election and appointment of ministers was only one part of the government of a Church, and there had always been in the Presbyterian Church three conditions in the election of a minister—first, the examination of a minister's qualification by the Church; next, the election, or, at least, approbation, of the people amongst whom he was to minister; and, thirdly, the admission of the minister by the Courts of the Church to the benefice. Any system outside that was always regarded as alien to the idea of the Church. One essential condition upon which so much store was set by the Church was that the gentleman who sought to minister to the people must have the approbation of the people to whom he was to minister. He thought the idea embodied in the noble Earl's Notice was simply an attempt to revive the law of patronage in another form, and in a form which possessed all the disadvantages and none of the advantages, such as they were, of the previous system of lay patronage. There were still some parishes in Scotland in which there was, if not a majority, at any rate very nearly a majority, of Roman Catholics. He thought it quite likely that their good sense and good feeling would lead them to abstain from interfering in this matter, even if the ywere let in under the head of ratepayers; but he was afraid there were some people in Scotland, perhaps a small minority, who were so keen to do all they could to harm and injure the Church that they would make use of the power which the noble Earl would give them for the simple and sole purpose of bringing in confusion and increasing the difficulties of the Church. But the point he wished to bring before their Lordships was that if the heritors of the parish and the heads of families showed any desire whatever to be connected with the Church, and to attend to its ministrations, they had the simple right to qualify themselves as adherents, and nobody could say them nay. The definition of adherents was, he thought, as wide as it could be made, and he had never heard any complaint of the way in which it had been carried out. The roll of the electors for the appointment of ministers included all communicants, and it also included as adherents only such other persons being parishioners who were not 21 years of age. If heritors and heads of families did not

wish to be connected with the congregation, he was at a loss to know why they wanted to deal with the election of a minister. When they talked of admitting ratepayers, he would like to ask the noble Earl if he had ever heard of a church membership founded on what might be called a ratepaying qualification? The noble Earl knew as well as he did that the Church was not merely a mob of people who were supposed to hold certain doctrines. It was an institution and organized society with certain conditions of membership; and he ventured to say that it was absolutely impossible to impose upon a Church any purely secular terms for making qualification for membership. To do that would be absolutely intolerable to any Church which had a particle of self-respect; and he ventured to say that there was hardly a Presbyterian in Scotland, whether belonging to the Established Church, the Free Church, or the United Presbyterian Church, that would not scout the idea embodied in this Motion. He believed the noble Earl was perfectly friendly to the Church, and that he thought this would make it more comprehensive; but he ventured to tell him that if this proposal was to be carried out, however little prospect there might be of Presbyterian union at the present time, he would certainly relegate it to a dim and distant future. He understood the noble Earl to complain that the electorate was largely made up of persons under age. He thought the noble Earl greatly overestimated the number of those persons. Communicants under 21 years of age in any congregation must be a very small proportion indeed, and adherents must be over 21 years of age. He submitted that no case had been made out for disturbing the existing arrangements, which had worked extremely well for the past 14 years.

THE DUKE OF ARGYLL: My Lords, I waited to see whether any other Member of your Lordships' House connected with Scotland would interpose before the reply of my noble Friend who represents the Scottish Office. The somewhat languid interest which this House has shown in the speech of my noble Friend who brought this subject forward shows how little the consciences of most of your Lordships are aroused to the great principles which are at stake in this Motion. It may seem to many of your Lordships a mere local question affecting Scotland; but it affects principles which some day at least—perhaps sooner than many of your Lordships expect—may be discussed with regard to the Church of England. It affects the largest and deepest principles touching the nature and constitution of the Church of Christ; and the terms on which it is lawful for that Church to become connected with the State. What is the history of this question? So far as I know, during the Middle Ages there was no difference between the practice in England and the practice in Scotland in regard to the lay patronage in the Church. The origin of the lay patronage of the Christian Church is closely connected with the origin of tithes, and those who originally endowed the Church acquired the privilege of nominating to the priesthood in many cases. There was no difference, so far as I know, up to the Reformation between England and Scotland in that respect. The Reformation, your Lordships know, was in the nature of a democratic movement rather than of an aristocratic and legal one. The movement was from below and not from above; and from the beginning of the movement in Scotland in 1560 up to the present time the spirit of the Reformed Church of that country has been to invest the government of the Church as a whole in the great body of its own people, which at that time might be assumed to be the great body of the nation. Early after the Reformation a great feeling arose in Scotland that lay patronage ought not to be unlimited. By the Act of 1500, the principle was clearly established that the stipend belonged to the State and the appointment of ministers belonged to the Church. Such was the state of the law down to 1712, when, under a very reactionary Government, it was determined to restore lay patronage to the Church in its full vigour, without any reference to the congregation. This was a monstrous violation of the feelings of the people of Scotland, and a departure from the revolutionary settlement. Then came 1832, with a great movement in the minds of men which was not merely political, but also religious and ecclesiastical. That movement was spread over the whole of

Europe and gave rise to the French Revolution, and, later on, to the Oxford movement. At last the General Assembly took a step on its own authority—the General Assembly is a body not composed of ministers and clergy alone, but representing, to a large extent, the whole body of Scotland—and enacted that the presbytery in every case should take the opinion of the people where a presentee was presented, and that if the people vetoed the presentee he should be rejected. This was appealed against in the Civil Courts, and it was decided that the veto was *ultrâ vires*. At the last moment, after the secession took place, an Act, called Lord Aberdeen's Act, was passed. It was a confusing and bungling piece of legislation, and no human being could tell whether under its terms the mere dissent of the congregation could be accepted as a veto on the appointment of a presentee. I have myself the honour, or the misfortune, to be—with the exception of Lord Orkney and the Crown—one of the largest and most extensive patrons in Scotland, and I have had some experience of the working of Lord Aberdeen's Act; and before the year 1874 I had come to the conclusion that it was full of dangers to the Church. Nothing could be more objectionable than the state of things under it. Every man in the parish was encouraged by law to come forward and state objections to the personal qualifications of the candidate. They might object that they thought his manner was stiff, that his language was not strictly scriptural; and, of course, the best men in the Church gradually became unwilling to face such an ordeal. The objections were stated against them before the presbytery, which could not tell how far they could give effect to them or not. The result of my experience was that it was hopeless to present a man to a parish who had not the approval of a large portion of the population; and my practice habitually was to ask the congregation to appoint a committee, and when the congregation were likely to agree upon a man, unless I saw there were great objections to him, I presented him. The system was one of popular election by the members of the Church, subject to the veto of the patron. The system could not go on. There were repeated attempts to bring the question again before the Civil Courts, and great dangers arose lest, under an adverse decision in the Civil Courts, the Church should again be bound hand and foot and fettered by the State. It was under these circumstances that the Conservative Government of the late Lord Derby came to the conclusion, in which I entirely agreed, that it would be wise to make a new law giving that power to the congregation, recognizing that popular right which practically they now hold in their hands, and which, if they were violated, would probably bring calamities on the Church. The Conservatives of that day thought they were in this taking a conservative step; and I fully concurred in their determination, and I avow my share with my noble Friend (the Duke of Richmond) who is not now present, in the drafting of that Bill. I understand that the noble Earl's present Motion is intended chiefly for the purpose of bringing in to the election of ministers men who are not members of the Church at all; but a grea part of his speech was against women.

THE EARL OF MINTO: I did not say so.

THE DUKE OF ARGYLL: No; that is what I object to. Great part of the noble Earl's speech was directed against women, and yet his Motion does not propose to exclude them. Are we to gather from his speech that women and young communicants are to be excluded? The question arose in drafting the Bill of 1874 whether Parliament should define the constituency by the terms of the Statute, or leave it for the Church. It was proposed at one time that the constituency should be specified by the Act of Parliament to be the communicants. I myself had and have an insuperable objection to Parliament attaching qualifications to the taking of the Holy Communion. We all now look back with wonder and amazement at the fact that a very few years ago not only Conservatives, but a very large part of the Liberal Party, were willing to maintain a system in England by which partaking of the Holy Communion was made a necessity for civil office. I have an insuperable objection to Parliament re-entering on that course of legislation. It is not our business to interfere with who does and who does not take the Communion. That is the business of the various officers of the Church, and, therefore, I suggested to the noble Duke (the Duke of Richmond) that, instead of taking the word "communicants," or, in addition to

that word, we should put in the word "adherents." I did so because in the old documents connected with the Church of Scotland the word used was never "communicants," but "congregation." Of course, it was assumed in former days that all the congregation were communicants; but "congregation" was the word; and the nearest approach to that that we could make was that we should say communicants and adherents. A large number of patrons in Scotland were members of the Episcopal Church, but many of them attended, and still attend, the services of the Established Church of Scotland. They are almost universally warm friends of that Church and generous and liberal supporters of it; and I wish to leave the authorities of the Church free to consider them and other persons of a like character to be adherents of the Church, even though they be not communicants. So far from departing from the ancient principles of the Church of Scotland as my noble Friend represented, that Act was passed strictly in consonance with those principles. If he asks me the question whether I do not think that at times there are instances in which it may be a failure—whether there has never been a minister appointed whom I myself should never have voted for, I cannot deny the fact that this may be so; but what has that to do with the case? Under any possible system you would have some black sheep. Under the whole system of patronage you would have plenty of drones, and the popular party complained that the majority of the ministers appointed by the patrons were drones. That was an exaggeration; but under any system there will be men appointed by an electing body of whom my noble Friend or I myself would not approve. One may take a very narrow and insular view of this matter. It may seem to many Members of this House almost absurd that ministers of religion should be appointed by their people; and I dare say that many Members of this House think it would be inconvenient, and perhaps almost absurd, to give parishioners in England the power of appointing their clergymen. Yet there can be no doubt of the fact that in the early Church that was the general and universal practice. Nay, not only pastors, but the highest dignitaries of the Western Church, have been elected in the great assemblies of the people. We all remember the celebrated case of one of the greatest names in the hierarchy of the Christian Church who was elected by a great popular assembly, and that, too, at a time when he not only was not a priest, but was not even a baptized member of the Church, but was a Roman soldier. I remember one Member of the Episcopal Bench, and one of its most admirable members too, who, not many years ago, was a military officer, but who afterwards became a priest and a valued minister in a great parish, and whose administrative powers are well known. When Ambrose was elected a Bishop there was no such experience in regard to him; yet he was nominated in a great assembly at Milan; and yet this is the man whose words we hear every Sunday in one of the noblest hymns of Christian worship when we sing the *Te Deum Laudamus*. I can tell my noble Friend that during recent years we have come to have new ideas in respect to the powers and qualifications and rights of women; and I challenge him to bring forward a Motion to refuse to women the rights enjoyed by male members of the congregation. Women are more pious and more disposed to reverence than men; and I should trust the opinions of many women in such matters better than those of men. Then I come to another point. My noble Friend, in substitution for this constituency, which I maintain has acted fairly, would introduce—whom? The ratepaying class. My noble Friend has not told us to what Church he himself belongs, and I have no right to ask him. I believe that he is a supporter and in a high and good sense an adherent of the Church of Scotland. I believe that he wishes to strengthen its foundations; but he evidently does not believe in the existence of such a society as the Church of Christ. I can understand the view of our excellent friends the Quakers, than whom no section of the Church has ever carried more sincerely into the combat of life and into politics the great doctrines of Christianity. But it has no settled ministry and no settled service. I can understand the view of the Congregationalists, who say that a unit of the Church of Christ is a separate congregation, and that they have a right to appoint their own ministers and to conduct their own service. I can understand the Presbyterian view, which is a

parity of pastors, but a subordination to a common law. I can understand the Anglican view, which is a parity of Bishops, although not of pastors. I can understand the Catholic view, which denies parity to pastors and Bishops too, subordinating the whole to one central government representing the supposed authority of Christ. All these theories I can sympathize with and understand to a certain extent; but the view of my noble Friend I cannot understand—that the Church of Christ consists of the same men who select the surveyors of roads and inspectors of nuisances. I tell my noble Friend, as a member of the Presbyterian Church, that if the proposition to elect ministers by the ratepayers were carried to-morrow I should immediately go for Disestablishment and Disendowment. I should be ashamed to belong to any spiritual body which pretended in such circumstances to represent any portion, any branch of the Christian Church. That, I am sure, would be the feeling of the great majority of this House, who think of the possibility of the application of such principles, such degrading principles, to the Church of England. In conclusion, I will only repeat that my noble Friend speaks, as far as I can understand, as a solitary individual. This is a crotchet of his own. There is no party in Scotland, there is no section of the Presbyterian Church, there is no section of the Episcopalian Church, which would venture to make such a proposal; and I trust that this House will never consent to appoint a Committee even to consider so preposterous a proposal.

LORD DENMAN said, he hoped the Government would not grant a Select Committee. He regretted that the late Lord Panmure had said that the abolition of patronage would not lead to the union of all Presbyterian Churches. In fact, all communicants, from any portion of the Church, including women, might occasionally take the Sacrament and vote for a minister in the Established Church, and all the clergy exchanged pulpits occasionally; and in Haddington the minister of the first charge had first been appointed by a patron to the second charge, and since 1874 had been chosen for the first charge by the vote of a majority of the communicants. It was absurd to complain of Church and State, for Kings and Queens might, according to Scripture, be nursing fathers and nursing mothers of the Church of Christ; and where there was no difference of doctrine all Christians should unite, and show that the Church was one.

THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN): I think your Lordships will not be surprised, after the eloquent speech to which you have just listened, if I reply at once to the noble Earl that Her Majesty's Government do not see their way to grant the appointment of the Committee asked for. I must express regret that the noble Earl has placed his Motion on the Paper, because he seemed to be unaware of the delicate ground on which he was treading; and if a Committee was granted, results of a more far-reaching character than the noble Earl appears to anticipate would follow. But after what has occurred, I do not regret that the Motion has been made, as it has afforded the House an opportunity of knowing what the real causes were which led up to the Act of 1874, and the part which the noble Duke (the Duke of Argyll) took in the framing of that Act. I carefully considered the terms of the Motion, and I confess that, after reading it over, I was at a loss to understand what the direct object of the noble Earl was; and, even after listening attentively to his speech, I am still at a loss to understand what object would be gained by the granting of the suggested Committee. The main object of the Motion appears to be that no one under the age of 21 shall be entitled to have a vote for the election of a minister of a parish, and that the Select Committee shall take into consideration the inequality between the sexes in Scotland. Those, I think, are the two principal points; but there is the further question of allowing heads of families or committees of the ratepayers and others to take part in the election of ministers. These two points, I think, were sufficiently dealt with by the noble Duke, so that your Lordships will forgive me if I do not go into the matter in detail. It is proposed to extend the right of election in various ways. First, that "the heritors of the parish (being Protestants) and the elders" should take part in the election, which means that those who are not members of the Church should have the power to vote in the

election of a Minister. The same remark applies to the "heads of families," as they already have the power of voting if they are connected with the Church. I will not go into this matter further. I must point out, however, that there has been no dissatisfaction whatever expressed with the working of the Act of 1874. There are about 1,300 parishes in Scotland, and in over 700 of these elections have taken place since the Act came into force; and, generally speaking, the working of the Act has been extremely satisfactory. Of course, in some cases the ministers appointed were not, perhaps, exactly ideal parish ministers. But, on the whole, my opinion is—and I believe it is also the opinion of Scotland—that the Act has worked extremely well, and no injustice has been done. What the noble Earl seems to desire is really the appointment of a Committee to reconsider the settlement of 1874. But if any dissatisfaction had been shown with the working of the Act it would be in the power of the General Assembly to consider the subject. The regulations under which the elections are now carried out were framed by the General Assembly in 1883; and within the limits of the Act it was in the power of the General Assembly to make new regulations, should it become necessary or expedient to do so. I feel certain that if the Government were to grant the Committee asked for the noble Earl would find that not only would the results be different from what he expects, but they would inflict a great injury on the Church of Scotland, which I am certain my noble Friend does not desire.

THE EARL OF MINTO said, his object was simple in the extreme. It was to endeavour to take steps whereby the Church of Scotland should not be treated as a close Corporation, and that those outside the Church should not be entirely excluded from all management in its affairs. The Church of Scotland, in his opinion, made a great mistake when it tried to draw the lines within such narrow limits. The true policy of the Church of Scotland was to make itself more comprehensive than it was, and to trust people outside the Church much more than was done at present. He disagreed with the opinion that there was any danger likely to result from the course he had suggested.

The Marquess of Lothian

THE DUKE OF ARGYLL, replying to a question by the noble Earl (the Earl of Minto), said, that minors who were interested and were upon the Roll of the Church ought to have a vote in the election of a minister.

On Question? *Resolved* in the *negative*.

CORONERS BILL.—(No. 36.)

(*The Lord Chancellor.*)

COMMITTEE.

House in Committee (according to order).

Clause 1 (Appointment of coroners to be made by the Lord Chancellor).

THE EARL OF POWIS said, he begged to move, as an Amendment, to except the appointment of County Coroners from the operation of the clause. He objected to give to the Crown the patronage of an appointment paid out of the County Rates.

Moved, in page 1, line 5, leave out ("coroners for counties").—(*The Earl of Powis.*)

THE LORD CHANCELLOR (Lord HALSBURY) said, their Lordships would remember that in introducing the Bill he said more than once that he was not enamoured of the functions he proposed to confer on the Lord Chancellor. His noble and learned Friend opposite had also on the Paper an Amendment providing that the County Coroners should be appointed by the "County Authority." The question was, what was the "County Authority?" If it were proposed to place this matter in the hands of a joint committee of the County Councils which were to be created and the Justices at Quarter Sessions, he would gladly agree to that. Everybody, he thought, was agreed that the present system of election by freeholders, as far as County Coroners were concerned, could not be continued, and a late election had called particular attention to the matter; but the question was with whom the duty of appointment was to rest. At present, however minute a man's freehold interest might be, or however short might have been his tenure of that interest, he was entitled to vote. No doubt, a scrutiny was incident to every right of voting, but in the election of Coroners it

would have to be conducted without a register, so that every person voting would have to be tried before the Sheriff as the Returning Officer.

LORD HERSCHELL said, that, of course, he had not had time to consider the proposal of his noble and learned Friend, but he did not quite like it. In boroughs the Coroner was appointed by the Borough Council, and he trusted that the County Councils about to be created would be no less worthy of confidence. It seemed to him rather a reflection on the latter Bodies if, at the outset, the Government showed them that they were not prepared to trust them with powers which for years past had been exercised by the Councils of boroughs. What was to be done in the case of places like Liverpool and Manchester, which would be counties in themselves? Hitherto they had always elected their own Coroners. Were they to continue to do so? If so, there would be this curious state of things—that the Councils of Liverpool and Manchester would appoint their Coroners, but the other Councils in the same county would not. Surely there were great anomalies and inconveniences in such a system as that? The best system would surely be the uniform system of leaving it to the County Councils throughout the country. He would also like to point out that this question of electing Coroners involved a certain amount of sentiment, and, though it was clear the present system of election could not go on, it struck him that the wisest course would be to make the Coroner as much as possible a representative officer. That would best be done by putting the election in the hands of a Representative Body like the County Council.

THE EARL OF JERSEY thought that as the salary of the County Coroner would be paid by the County Council that would be the best authority in whom to vest the appointment.

EARL COWPER said, he hoped that the appointment would be given to the County Council. This was a matter which would most legitimately fall within its control.

EARL GRANVILLE said, it would be somewhat peculiar for the House at the present moment to place the appointment in the hands of the County Council, having regard to the fact that no such Body was in existence.

THE EARL OF DERBY said, as the Bill was brought in it proposed to vest this appointment in the Lord Chancellor. The noble and learned Lord had now brought forward a new proposal. Under those circumstances, he thought it should be deferred for some time, so that it might be fully considered in the interval.

LORD HALSBURY admitted that the Bill originally proposed to vest the appointment in the Lord Chancellor; but when introducing the Bill he distinctly stated that he should be glad to accept some other proposal that would relieve the Lord Chancellor of this task. He could not agree that the matter was not urgent. There had been an election of a Coroner within the last week which had been the subject of the greatest possible complaint. If this Bill was postponed until the passing of another Bill in "another place," which might or might not come here, he did not think that it would then receive much attention. In his opinion, the joint committee of Quarter Sessions and County Council would make an excellent electoral body for this purpose.

LORD BASING said, that if there was a doubt as to the existence of the County Councils, the joint committee suggested was even more shadowy.

THE EARL OF KIMBERLEY thought the election should be placed in the hands of the County Council. He was astonished at the amount of distrust of the County Council which was manifested. Why should it be feared that the County Council would not be as excellent a body as the Town Council? If anything, there was reason to think that the men elected on to the County Councils would be even more trustworthy men.

LORD HALSBURY said, he was quite prepared to accept the Amendment of his noble and learned Friend placing the appointment in the hands of "the County Authority," and to postpone the discussion of what "the County Authority" should mean.

THE EARL OF FEVERSHAM thought the appointment would best be placed in the hands of Quarter Sessions. He hoped the Government would not withdraw the Bill, which contained provisions of great value.

Moved, "That the House do now resume," *agreed to;* House *resumed* accordingly.

MALTA—THE NEW CONSTITUTION.

MOTION FOR AN ADDRESS.

EARL DE LA WARR asked, Whether Her Majesty's Government can give satisfactory information with regard to the working and efficiency of the new Constitution of Malta, and of the manner in which it has been received by the Maltese people; also, whether a copy of a resolution moving an address to the Governor, and carried unanimously by the Council of Government on the 30th of May last, praying him to petition Her Majesty for the establishment of a Militia regiment in Malta, can be laid upon the Table of the House; and whether any communications on that subject have been made by the Governor to the present or any former Colonial Secretary; and, if so, whether they can be laid upon the Table of the House? He also wished to move for a Return in the words of which he had given Notice—

Moved, "That an humble address be presented to her Majesty for Return of the amount of the annual contribution from the revenue of Malta for military purposes, and of the amount remitted directly or indirectly in drawbacks to the military authorities, with the view of ascertaining the possibility of applying these sums towards defraying the expenses of the Militia."—(*The Earl De La Warr.*)

LORD NAPIER OF MAGDALA observed, that he had recently had an opportunity of gauging the feelings of the people of Malta with respect to the formation of a Militia regiment. He felt sure that the formation of such a corps would be viewed most favourably, and would tend to increase the loyalty of the people.

THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): The noble Earl has always taken a keen interest in this subject, and has endeavoured to ascertain and forward the wishes of the Maltese to acquire larger powers in the management of local affairs, and I believe his work has been thoroughly appreciated in the Island. No one, therefore, will be better pleased than the noble Earl to hear my reply to the first part of his Question. I can assure him that the new Constitution has been received with satisfaction by all classes in Malta, and that up to the present moment it has worked most successfully. This success is largely owing to the tact and judgment of the Governor, Sir Lintorn Simmons, and the Colonial Secretary; but it is mainly owing to the hearty co-operation and loyal support of the elected members under the new Constitution, and especially of the three elected members of the Council of Government, who are also members of the Executive Council. There were, no doubt, many persons who wished to see larger and more sweeping changes in the Constitution; but they had, nevertheless, shown a spirit of moderation and a loyal desire to support the Government and the new order of things. The Constitution was not yet in operation in its entirety. As part of it, it had been decided to divide the Island into districts, and to assign a member to each district; but, as it was found impossible to collect in this country the necessary information for the purpose of deciding what should be the actual districts, or whether any district should be represented by more than one member, a Royal Commission was appointed to go to Malta to examine into the matter. The Commission has now reported that the proposal to divide the Island into districts had been received with great favour throughout the whole Island. As the Commissioners took very great trouble to ascertain the views of the people, and went into all the districts and examined persons of all classes, I may, perhaps, read a passage of their Report to your Lordships. The Commissioners state that they have acquired a clear insight into the opinions and feeling of all sections of the inhabitants of the country districts, and that they have—

"Satisfied themselves by abundant proofs that the decision of Her Majesty's Government to divide Malta into several electoral divisions was equally just in itself and in accordance with the interests and wishes of the great majority of the persons principally affected by this change from the former system, under which the entire community, both urban and rural, was treated as one single constituency."

From this change, which has long been advocated by leading men, I anticipate very good results, for it will, I believe, tend to create a more lively and intelligent interest in local questions affecting the well-being of the people. It will come into operation when the next Council of Government is elected. Her Majesty's Government have certainly made large concessions to the people of

Malta, and conferred upon them considerable privileges. This they have done in the full belief that the new Council of Government would meet them in a loyal spirit, and that its future proceedings would conduce largely to the credit and prosperity of the island without infringing in any way the rights and duties of the Crown. I may, perhaps, be allowed to observe that the power of the Crown to protect Imperial interests has been secured by the provisions of the Letters Patent. In answer to the second Question of the noble Earl, I have to say that the proposal to establish a Militia regiment was first made by the present Governor in 1885, when the Earl of Derby was Secretary of State. That noble Lord viewed the suggestion very favourably; but it appears to have been shelved for a time, as some questions were under consideration affecting the Malta Fencibles. It has now been revived by a unanimous Resolution of the Council of Government, and the Governor is greatly in favour of the establishment of a regiment. I have myself a strong belief that the creation of this Militia is advisable, both from an Imperial point of view, as adding to the defensive power of Malta, and from a Colonial point of view, as bringing all classes together and giving them a lively interest in the defence of the Colony; and I am very glad to find that the noble Lord who has last spoken is also in favour of the scheme. The matter has been referred to the War Office, and a favourable consideration for it has been asked. It is hardly necessary to add that the War Office would probably be the first Department to recognize the importance of having this addition to the Forces in Malta; and I, therefore, hope that their Report will be favourable. The Treasury must also be consulted on the subject. The Papers for which the noble Earl asks can not be well presented until a final decision shall have been arrived at; and I hope that the noble Earl will, therefore, consent to wait a little time for the Papers and the Return for which he has asked.

EARL DE LA WARR said, that he would accede to the request made by the noble Lord.

Motion (by leave of the House) *withdrawn.*

FISHERIES (IRELAND)—THE SOUTH AND WEST COASTS.—RESOLUTION.

THE EARL OF HOWTH, in rising to move—

"That an immediate survey of the fishing grounds on the south and west coast of Ireland is much required; that in the event of Her Majesty's Government accepting the recommendation of the Royal Commission on Irish Public Works to reconstruct the Irish Fishery Department, legislation be not delayed beyond the present Session of Parliament,"

said, it was not his intention at present to enter into a discussion upon the whole question of the Report of the Royal Commission. He ventured to assert, however, that he approved of its principal observations, which consisted in the proposal to develop the deep sea fishing apart from those in shore or near the shore; that large vessels manned by skilled crews were to be constructed; that full-sized and deep harbours were to be erected; and that railway communication was to be established towards them for the purpose of facilitating the exportation of the captured fish for the English markets. This policy was a total subversion of the principles of the Irish Fishery Act of 1869, which, by promoting the building of small fishing piers, had conferred benefit and relief upon the coast population. He was certainly not opposed to seeing relief extended to congested and poor districts. Quite the contrary; but he ventured to think that expenditure could be beneficially made in improving the condition of the fisheries. The Irish fisheries, with the exception of the mackerel fishery in a small portion of the South-Western Coast of Ireland, had been very fully explained and entered into in this Report; and it would appear that in the opinion of the Commissioners it had been proved that there was an inexhaustible supply of fish on the Western and Southern Coast, and that, with the assistance of future legislation, great benefits might be conferred on the fishing industry. It was clear that the fishing grounds had never at any time been fully inspected and considered, and that thorough inspection of them was absolutely necessary in order that it might be fully proven what was the supply of fish upon them, what was the quality and the species of the fish, and in what localities they were to

be found, before an expenditure of a large sum of money was entered upon. It was always a matter for consideration, also, whether the youths who were employed on the sea fisheries of Ireland, and entirely on the sea fisheries of Ireland, should continue their profession unless more happy prospects might be secured to the future of the Irish fisheries. This inspection was really and decidedly a case of what might be termed urgency. In all that had taken place hitherto, it was assumed that there were inexhaustible supplies of fish; but there was a striking absence of information that could be relied upon. The only argument urged against immediate inspection of the coast was that no European nation had made such inspection; but the truth was the waters of all civilized countries were thoroughly well known, the habits of their fish had been studied, and there was no necessity for the inspection which was so urgent in this case. It was essential for the sake of Irish fishermen who were seeking the means of livelihood; in the interests of English fishermen who were on the look-out for new fishing grounds; in the interests of the British public who wanted larger and cheaper supplies of fish; and in the interests of the British taxpayer who was anxious to see more fish caught in return for the money that had been expended upon the Irish Fisheries. The Report recommended an expenditure of £400,000 on harbours and railways communicating with them; and it would be most unwise to incur this expenditure without more definite information as to the fishing grounds. For the purposes of inspection, and to obtain information for the guidance of fishermen, the American Government granted no less than £120,000 a-year. With regard to the second Resolution, the Royal Commission had very clearly and decidedly recommended the dismissal of the three Irish Fishery Commissioners—Sir Thomas Brady, Major Hayes, and Mr. Hornsby. They recommended that there should be substituted for them a Board of practical men connected with the fisheries; that only one of them, the Chairman, should receive a salary, and that the rest of the Board should be composed of unpaid members. He was opposed to that proposal, but he would not now enter into details in connection with the matter. It was evident that the Royal Commissioners considered that the present Fishery Officers were unfitted for their duties, and that they were also dissatisfied with the way in which they managed the Irish Fisheries. He ventured to urge upon Her Majesty's Government that if they had decided that these men should be dismissed, it was very unfair to allow this sentence to remain hanging over them, even till next Session, or even after the present Session was past. There were in Ireland, he was sorry to say, in fishery matters as in politics, two programmes. The popular programme was that fishery grounds should not be made subservient to the interests of the coast population; while the other view was that the fishery grounds were not to be made subservient to supplying the demands of England with fish. The Irish fisheries were at present regulated by the Act of 1869, which was introduced immediately after the Election by Mr. Blake, then Member for Waterford, and received a very liberal support from the Irish county Members as well as the Members for boroughs. It was approved of by the Government and received their support, and its main features supported his first Resolution. The expenditure of thousands of pounds on the construction of harbours and railways would give enormous employment to the people. It would aid the farmers and the shopkeepers, and also, perhaps, the publicans would be paid. The whole neighbourhood would derive enormous benefit by these small piers, and they certainly were very popular all over Ireland. Mr. Blake, the previous Chairman of the Fishery Commissioners, had supported these principles for years, and Sir Thomas Brady had also supported them. He thought it was pretty clear that the Commissioners exceeded their powers in making an inquiry into the Irish Fishery administration, and he hoped that the sweeping measure of removing Sir Thomas Brady, who was a gentleman of great experience and ability, and two other Commissioners, which had been suggested by the Royal Commission, would not be adopted by Her Majesty's Government.

Moved to resolve—

1 "That an immediate survey of the fishing grounds on the south and west coast of Ireland is much required:

2 That in the event of Her Majesty's Government accepting the recommendation of the Royal Commission on Irish Public Works to reconstruct the Irish Fishery Department, legislation be not delayed beyond the present Session of Parliament."—(*The Earl of Howth.*)

THE LORD PRIVY SEAL (Earl CADOGAN) said, that it would be impossible not to sympathize with the objects of the noble Earl in placing his Motion on the Table; and he was certainly not prepared to say that it would not be desirable that the survey of the fishing grounds on the South and West Coasts should be made as soon as possible. It was quite true that the Commissioners did in one paragraph of their Report recommend that some such survey should be made, but they did not lay much stress upon the recommendation. Undoubtedly it was a point which must be considered in connection with other matters dealt with by the Commission. In reply to the last portion of the noble Earl's Motion, he could only say that it was not the wish of the Government to delay any legislation in connection with this subject longer than was necessary; but he would remind the noble Earl that on a previous occasion he informed him that the Commissioners were instructed to deal with the subjects which were to come before them in the order most advantageous to the Public Service, and they took the question of arterial drainage first and issued their Report on that subject before the Report on Irish Fisheries. The Government had thought it better to follow the order of these subjects adopted by the Commissioners. The Chief Secretary for Ireland had accordingly prepared, as he said some time ago he would prepare, three Bills on the subject of arterial drainage, and when he informed the noble Earl that these Bills were prepared and printed at Whitsuntide, and that his right hon. Friend had not even yet had an opportunity of presenting them in the House of Commons, it would show how impossible it was for them to give any pledge as to when legislation in connection with the Fisheries would be begun, and whether there was any prospect of passing a Bill on that subject during the present Session. He would not follow the noble Earl in the remarks which he had made as to the recommendations of the Royal Commission, nor did he think it necessary to say much on the question of whether the Royal Commissioners had exceeded their authority or not, because, as the noble Earl was well aware, Her Majesty's Government had no control over Royal Commissions, and if any recommendation that the Commissioners had made were *ultra vires*, so as to render objectionable such legislation as might be founded upon them, that was a matter which could be dealt with when they came to introduce into Parliament the measures on this subject which, no doubt, it would be their duty to bring forward. So far as the Motion of the noble Earl was concerned he trusted that he would not now consider it necessary to go to a Division. He could only say that the subject of Fisheries had received the anxious attention of the Government, and it was their wish to proceed with legislation on the subject with as little delay as possible.

THE EARL OF HOWTH said, he must express his appreciation of the anxious desire of Her Majesty's Government to promote the industries of Ireland, and he was in no hurry on the subject of his Motion. He would be quite satisfied if satisfactory legislation were introduced next year.

Motion (by leave of the House) *withdrawn.*

LOCAL BANKRUPTCY (IRELAND) BILL.

(*The Lord Ashbourne.*)

(NO. 93.) COMMITTEE.

House in Committee (according to order).

Clauses 1 to 3, inclusive, *agreed to.*

Clause 4 (Cork and Belfast local bankruptcy courts).

LORD FITZGERALD begged to move the omission of the clause. This was a subject which affected the taxpayers of the United Kingdom, as from his experience he could not fail to see that this measure, if passed, would entail very considerable and unjustifiable expense. He pointed out that there were no less than four Bills pending at present in the House of Commons having reference to the reduction of the judicial strength in Dublin, and other matters connected with the administration of the law, and he contended that it would be unwise, as it was unnecessary, to enact such a measure as this.

Moved, to omit Clause 4.—(*The Lord Fitzgerald.*)

THE LORD CHANCELLOR OF IRELAND (Lord ASHBOURNE) said, he was tolerably familiar with the Bills pending in the House of Commons to which his noble and learned Friend had referred, and he was bound to say that he entirely failed to see the relevancy of these Bills to the Bill now before their Lordships, and if they were passed by their Lordships, they would not have the remotest bearing upon this question of Local Bankruptcy at all. Then his noble and learned Friend raised the point of increased expenditure, and he ventured to think that there was not one of their Lordships who would not have supposed, from his noble and learned Friend's remarks, that by this moderate Bill he proposed to manufacture two brand new Courts, two brand new Judges, with brand new officials. Nothing of the kind. It only proposed to utilize existing Judges and existing officers, and only supplemented these officers where it was proved to be absolutely necessary. The only proposal it made was that it conferred upon existing Judges this much sought after and desired local bankruptcy jurisdiction. Since this question was last before their Lordships a meeting had been held in Cork which was attended by all classes of Her Majesty's subjects, and at which Resolutions had been passed strongly in favour of this Bill being passed. The Recorder of Cork alone, as far as his noble and learned friend had stated, was against it. And in Belfast there was a large meeting held in favour of this Bill. He found that the Chambers of Commerce of England and the United Kingdom had passed Resolutions in favour of local bankruptcy jurisdiction and in favour of such legislation taking place in Ireland. What authorities was his noble and learned Friend able to marshal against the Bill? Mr. Richard Davoren, a highly respectable solicitor practising in the Dublin Bankruptcy Court, of course, was against it, and another respectable solicitor, Mr. Bennett Thompson, gave his individual opinion against it, and he was bound to say that a more meagre support had never been given to the opposition to a Bill than the letter written by the Secretary of the Incorporated Law Society saying that they did not wish any further action to be taken in that House with regard to thisBill. Last year three Bills had been introduced into the House of Commons on this very question, one of them by Mr. Sexton, who was known not to be a Conservative. That Bill was referred to a Select Committee, with Mr. Sexton as Chairman, and in all essential lines this Bill was the same as the Bill when it emerged from the Select Committee. Then they were asked not to pass this Bill because Mr. Chamberlain's Act of 1883 worked well. Mr. Chamberlain's Bill of 1883 made important changes in the law and procedure. This Bill made no change whatever in the law, and if it was thought desirable afterwards to adopt any or all of the provisions of the Act of 1883, there would be nothing in this Bill to interfere with that being done. He hoped their Lordships would consider it unreasonable to withhold what was sought for for a great many reasons—namely, the establishment of local bankruptcy jurisdiction, and that they would give it in the way which commended itself to the judgment of all those most interested in this question.

EARL SPENCER thought it was desirable that facilities for bankruptcy proceedings should be extended locally in Ireland. When he was in Ireland representations were made to him from different parts of the country strongly urging the Government not to drop the clauses with regard to Ireland which originally appeared in the Bill of 1883. He would be the last person to wish to add to the already overgrown judicial state of Ireland; but when he read the Bill he did not understand it would necessitate anything like the expense his noble and learned Friend feared—considering that no new Judges or officers would be required. He hoped that the greatest possible care would be taken to see that the salaries and allowances under it would be moderate. If his noble and learned Friend had pressed his Motion to a Division he certainly should be obliged to vote against him and in favour of the Bill.

Amendment (by leave of the Committee) *withdrawn.*

Bill *reported* without Amendment; and to be read 3ª on *Friday* next.

House adjourned at Eight o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 22nd June, 1888.

The House met at two of the clock.

MINUTES.]—NEW WRIT ISSUED—*For* Longford (South Longford Division), *v.* Lawrence Connolly, esquire, Chiltern Hundreds.

PUBLIC BILLS—*Ordered—First Reading*—Law Agents (Scotland) * [303].

Committee—Local Government (England and Wales) [182] [*Ninth Night*]—R.P.

PROVISIONAL ORDER BILLS — *First Reading* — Elementary Education Confirmation (Birmingham) * [304].

Considered as amended— Third Reading—Local Government (No. 8) * [271], and *passed.*

Third Reading—Local Government (No. 10) * [275]; Local Government (No. 11) * [276], and *passed.*

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 (IMPRISONMENT OF MR. JOHN DILLON).

MR. SPEAKER acquainted the House that he had received the following letter relating to the imprisonment of a Member of this House :—

Dundalk,
June 20, 1888.

SIR,

I have the honour to report that Mr. John Dillon, M.P. for East Mayo, duly appealed to me, as County Court Judge and Chairman of Quarter Sessions, from two Orders of Conviction made one on the 11th May, 1888, and one on the 12th May, 1888, whereby he was convicted under the first of said Orders of having with other persons unlawfully taken part in a Criminal Conspiracy, punishable by Law, to compel and induce certain persons, tenants of farms situate in divers parts of Ireland, not to fulfil their legal obligations, to wit, to refuse to pay to the owners of such farms the rents which they the said tenants were and might become lawfully bound to pay, and which the owners of said farms were and might become lawfully entitled to be paid; and, under the 2nd of said Orders, of inciting persons unlawfully to take part in a Criminal Conspiracy, stated in the same terms. Upon each of these convictions Orders were made that Mr. Dillon should be imprisoned for six months without hard labour, the sentences to run concurrently.

Mr. Dillon appeared in due course before me this day at the Quarter Sessions held at Dundalk, in the said county, when, upon hearing the evidence and what was advanced by Mr. Dillon in his defence, I affirmed the conviction and the sentence in each case.

I have the honour to be, Sir,
Your most obedient servant,
W. KISBEY,
County Court Judge of Armagh and Louth.

The Right Honourable
The Speaker of the House of Commons.

QUESTIONS.

—o—

EDUCATION DEPARTMENT (SCOTLAND)—MR. T. A. STEWART, INSPECTOR OF SCHOOLS.

MR. MACDONALD CAMERON (Wick, &c.) asked the Lord Avocate, Whether he will inform the House what is the nature of the special merit which entitled Mr. T. A. Stewart, Her Majesty's Inspector of Schools, to be promoted over the heads of nine of his colleagues; what are the defects in the official career of the nine superseded inspectors which led to their being passed over; upon what grounds was the senior of the nine—namely, Mr. William Jolly, superseded; and, what are the grounds upon which promotion by seniority to the higher grade of Inspectorships has been departed from for the first time in Scotland?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I have already stated the grounds upon which Mr. Stewart was appointed one of the Chief Inspectors; and their Lordships must decline to discuss the individual merits of the officers who were not chosen to fill that office.

WAR OFFICE—ARMY ACCOUTREMENTS—THE 3RD BEDFORDSHIRE REGIMENT—VALISES.

MR. HENNIKER HEATON (Canterbury) asked the Secretary of State for War, Whether he is in a position to give further information regarding the 800 valises supplied to the 3rd Bedfordshire Regiment, and reported as unfit for use after three trainings; and, the total number of valises of the description in question supplied to the British Government, and the names of the contractors and of the officers who passed them?

SIR HERBERT MAXWELL (A LORD of the TREASURY) (Wigton) (who replied)

said: Specimens of these were sent from the Eastern District for examination at Woolwich. They, however, only left the district the day before yesterday; and, considering the time necessary to examine them, it will be at least a week before I can answer this Question.

THE MAGISTRACY (IRELAND)—MR. W. J. GLASGOW, COOKSTOWN, CO. TYRONE.

MR. T. W. RUSSELL (Tyrone, S.) asked Mr. Solicitor General for Ireland, Whether his attention has been called to the report in *The Northern Whig* of June 11, of proceedings at the Petty Sessions held at Cookstown, County Tyrone, on the previous day, in which Mr. W. J. Glasgow, proprietor of an extensive drapery establishment in that town, was charged with riotous and indecent behaviour on May 14; whether, at the trial, the solicitor for Mr. Glasgow stated he was instructed that a magistrate then on the Bench had instigated the prosecution for the purpose of injuring Mr. Glasgow in his business; whether the charge was dismissed by the magistrates; and, if he can state who was the prosecutor, and on what grounds the prosecution was initiated?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University), in reply, said, his attention had been called to the case by the Question of the hon. Member. The summons was issued by the Town Clerk. The charge was dismissed by the magistrates, there being no evidence against the defendant. The solicitor for the defence did make the statement mentioned in the second paragraph of the Question; but the Town Clerk, who prosecuted, said there was not a shadow of foundation for the assertion. From the Report before him (Mr. Madden) the case appeared to be one of mistaken identity.

INLAND REVENUE OFFICE, LIVERPOOL—STAMPING.

MR. W. F. LAWRENCE (Liverpool, Abercromby) asked Mr. Chancellor of the Exchequer, Whether it is the case that the Inland Revenue Office at Liverpool has not facilities for the stamping of plain parchment and paper as exist in Manchester, whereby some delay is caused, and the usual discount upon impressed stamps cannot be obtained in Liverpool; whether there is any reason for this difference in the facilities afforded by the Revenue Authorities to the two cities; and, whether he will take steps to remedy the inconvenience arising in Liverpool therefrom?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's Hanover Square): Facilities have recently been given, and further facilities are about to be given, at Liverpool to meet the delay referred to in the Question, and it is hoped that they will prove sufficient for their purpose. As regards the allowance of discount, I have to inform the hon. Member that the general question of discounts is now under consideration.

RIOTS AND DISTURBANCES (IRELAND) — DISTURBANCES AT KILRUSH, COUNTY CLARE.

MR. JORDAN (Clare, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been directed to a paragraph in *The Freeman's Journal* of the 18th instant, in which it is stated:—

"That after the public bellman had announced through the streets of Kilrush, County Clare, the result of the Election for the Ayr Burghs, a patrol of police paraded the streets carrying revolvers and truncheons. In the market square a group, rejoicing at the result of the election, was attacked by the police, and a man named Masterson was arrested. On Masterson protesting against the arrest and refusing to go to the barracks excitement ensued, and four policemen drew their revolvers, presented them at the crowd, declaring they would fire if interfered with, one constable striking Masterson on the head with his baton," &c.

And, whether these statements are true; and, if so, will he take steps to prevent interference by the police with people expressing their satisfaction at a political victory.

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, the District Inspector reported there was no truth in the statements of the newspaper paragraph. The actual circumstances were these—About 8 p.m., and two and a-half hours after the bellman had made the announcement, a patrol of three constables went out in the ordinary way armed with revolvers. Masterson, who was drunk, accosted them in the street. They told him to go home. He then attacked them, and

they arrested him for being drunk and disorderly. The crowd began to throw stones. One of the police struck Masterson, who had hold of another constable by the throat at the time. More stones were thrown. The police drew their revolvers, and the crowd fell back. Masterson was brought to the barrack and subsequently discharged.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W): Is it the ordinary way for patrols of police to go armed with revolvers in Ireland?

MR. A. J. BALFOUR said, the way in which the police were attacked showed it was necessary they should be armed.

VACCINATION ACTS—CONVICTIONS AT BATH.

MR. HANDEL COSSHAM (Bristol, E.) asked the Secretary of State for the Home Department, Whether he is aware that, on the 12th of this month, 18 persons were convicted by the Bath Bench of Magistrates for offences under the Vaccination Acts; whether several of the magistrates who adjudicated on the occasion were members of the Bath Board of Guardians, and were, therefore, prosecutors in the cases on which they adjudicated; whether it is usual or legal for prosecutors to sit in judgment on cases in which they are personally interested; whether the fines inflicted in these cases have to be paid to the Treasurer of the Bath Board of Guardians; whether there were any irregularities in these prosecutions; and, whether, under the circumstances, he will revise the sentences of the Bench.

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; the fact is as stated. Two out of the three magistrates who adjudicated are elected Guardians for the Bath Union. They had, however, taken no part in directing any of the prosecutions; and therefore, as I am advised, were not disqualified from sitting in judgment. The law as to the disqualification of Justices from adjudicating in cases in which they are personally interested is laid down in many well-known legal text-books, and cannot be stated within the compass of an answer. I understand that the fines in question were paid to the Treasurer of the city. I cannot ascertain that there were any irregularities in these prosecutions; and, as at present advised, I see no reason to interfere in the matter.

CRIMINAL LAW—STABBING CASE AT LIVERPOOL—CASE OF JOHN DUGGAN.

MR. W. F. LAWRENCE (Liverpool, Abercromby) asked the Secretary of State for the Home Department, Whether his attention has been called to the case of John Duggan, who, after stabbing a girl without provocation just below the right ear, was discharged by the Recorder of Liverpool without any punishment; whether the Home Office is aware that street ruffianism in Liverpool has been for some time the subject of consideration on the part of Her Majesty's Judges; and, whether he will cause an inquiry to be made into the circumstances of the case above-mentioned?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; my attention has been called to this case, and I have obtained a Report from the Recorder upon it, who informs me that the prisoner, a youth of 18, was standing in the street, drunk, with a knife in his hand, with which he struck at a woman who was passing and inflicted a wound skin-deep. The act was without motive or provocation. He had been three weeks in prison, had a good character, and his employers were willing to receive him back if speedily released. He was also the sole support of a widowed mother and seven children. Under these circumstances, the Judge thought it right to sentence him to two days' imprisonment. In the opinion of the Judge, the case had no connection with the street ruffianism referred to in the Question.

ROYAL IRISH CONSTABULARY—DISTRICT INSPECTOR TILLY.

MR. COX (Clare, E.) (for Sir THOMAS ESMONDE) (Dublin Co., S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether District Inspector Tilly, R.I.C., has yet received the promotion promised him; and, if not, whether he can state when this officer will be promoted?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The District Inspector mentioned has not yet received promotion. I am not able to say when the opportunity may arise.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—EMPLOYMENT OF CONVICT PRISONERS.

MR. W. H. JAMES (Gateshead) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any Report as to the effect of the remission of hard labour to the exclusion of any other form of employment in cases of imprisonment under the Criminal Law and Procedure (Ireland) Act has within the last 12 months been made by any of the medical or other officials of Her Majesty's prisons in Ireland?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The General Prisons Board inform me that no convicted criminal prisoner in Ireland, whether sentenced to hard labour or not, is unemployed, except on medical grounds, the Board being required by the 47th section of 40 & 41 *Vict.* c. 49, to find employment for prisoners not sentenced to hard labour.

MR. W. H. JAMES: Can the right hon. Gentleman say what is the nature of the employment?

MR. A. J. BALFOUR: I am not very intimately acquainted with the Prison Rules; but I suppose the same Rule obtains in Ireland as in England in the matter.

MR. COX (Clare, E.): Is it not a fact that prisoners not sentenced to hard labour have to break stones and pick oakum, the same as ordinary prisoners?

MR. A. J. BALFOUR: I have just called attention to the fact that the Prisons Board have to find employment for all prisoners.

MR. CONYBEARE (Cornwall, Camborne): May I ask the right hon. Gentleman, does he not think he ought to acquaint himself with the Prison Rules?

[No reply.]

MR. W. H. JAMES: I beg to give Notice that I will ask the right hon. Gentleman a further Question on the subject.

INLAND REVENUE—RECEIPTS FROM LICENCES AND INHABITED HOUSE DUTY.

MR. CAINE (Barrow-in-Furness) asked Mr. Chancellor of the Exchequer, If he will lay upon the Table of the House, previous to the discussion of Clause 18 of the Local Government Bill, a Return showing the revenue derived from licences on the sale of intoxicating liquors, and from the Inhabited House Duty, respectively, for each county in England and Wales?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I could give the hon. Member the Return which he asks for with regard to existing counties. But, if he wants them for the counties as they will be constituted by the Local Government Bill, it would be possible to give the Return of the revenue derived from licences, as that has already been prepared; but the Return of the Inhabited House Duty could only be obtained with much trouble, and would require some time.

MR. CAINE said, the old areas would be sufficient.

MR. GOSCHEN: Then the Return can be given.

INLAND NAVIGATION (IRELAND)—THE LAGAN NAVIGATION COMPANY.

MR. T. M. HEALY (Longford, N.) asked the Secretary to the Treasury, Does he still intend paying £3,500 to the Lagan Navigation Company for taking over the Ulster and Tyrone Canals, which have cost the country £300,000; will he, at least, not make over to them the profit rental of £130 a-year for lands and houses; will he make inquiry, before paying the £3,500, as to the truth of Mr. J. G. V. Porter's statement in his newspaper of June 13, that he, in 1875, bought £2,000 worth of Lagan Company's Stock for £300, and that Messrs. Wyat, solicitors, have a claim of £1,500 against the Lagan Company for promoting the Ulster Canal Bill; is the Lagan Company a limited or an unlimited liability Company; and will any security be taken by the Treasury that none of the £3,500 granted by the taxpayers shall go to defray Bill promotion; but shall all be laid out in works on the Ulster and Tyrone Canals?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): Sir, I think it will be the intention of the Government to propose to Parliament an Estimate for the sum of £3,500, as stated in the first Question. I do not think, with reference to the second Question, that the rental of the land and houses should be separated

from the general undertaking. With reference to the third paragraph, I have no information; nor with regard to Paragraph 4. With regard to the fifth Question, I will endeavour to make the best arrangement I can to secure that the £3,500 shall be spent on the works.

MR. T. M. HEALY: Might I ask the hon. Gentleman, before this Company is to get a gift of £300,000 and a second gift of £3,500, whether he would first make himself acquainted with the matter—namely, that this Company, which is alleged to be worth £70,000, sold £2,000 worth of its Stock a few years ago for £300; and also inquire whether this is a Company of limited liability or unlimited, in order to give taxpayers some guarantee that these gentlemen have some assets at all events?

MR. JACKSON: I would remind the hon. and learned Gentleman that this Question did not appear on the Paper until this morning. I was engaged on a Committee upstairs, and had no time to make inquiry; but the hon. and learned Gentleman knows that I have already stated, when the Bill was in Committee, that I would take every precaution I could in the agreement handing over the property—if the agreement is come to—that every precaution shall be secured that the money shall be expended on the works.

MR. T. M. HEALY: I will repeat the Question. I might remind the hon. Gentleman that I sent him a copy of Mr. Porter's paper, *Ireland's Gazette*, which contained the statement, yesterday.

MR. JACKSON: Yes; but I think the hon. and learned Gentleman himself would hardly have accepted the mere statement of a newspaper.

MR. T. M. HEALY: It is right to state that Mr. Porter is a gentleman who has spent tens of thousand on such works.

MR. SPEAKER: Order, order!

EVICTIONS (IRELAND)—EVICTION AT CLOGHER—ALLEGED CRUEL TREATMENT.

MR. W. REDMOND (Fermanagh, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the following account of an eviction in Ireland, which is taken from a London paper:—

"An eviction was carried out yesterday on the property of Mr. Montroy Gledstanes Fardross, Clogher, telegraphs our Dublin correspondent. Nearly 40 police were in attendance. The evicted family numbers six members. One, a blind boy, received the last sacrament last evening, and the father, an old man of 80 years, was so weak and ill as to appear utterly unconscious of what was going on around him. Another son besought the Sub-Sheriff (Mr. McKelvey) to delay the removal of the father from bed till the parish priest might be sent for, as the arrival of Mr. McKelvey had taken the family by surprise, but the officer was inexorable. The old man was then transferred from his bed to a cart, in which he was conveyed to the house of a son-in-law, where he received the last sacrament immediately afterwards from the parish priest;"

whether his attention has been called to the following statement of the parish priest, which appeared in the newspapers of yesterday, in connection with the eviction in question:—Rev. John M'Kenna, parish priest of Clogher, writes to *The Freeman*—

"The blind boy who received the last sacraments of the Church from the curate of this parish the day before the eviction has since made a partial though uncertain recovery. But the father, who received the last sacrament from me immediately after the eviction, continued to sink till yesterday evening, when he departed at the hour of 8 o'clock. It is absolutely certain that Hugh Bogue was in a dying state when he was carried forth from his house on a bed-tick by the Sheriff's officers, and that afterwards he had not any perfectly lucid interval up to the moment of his death;"

whether the Government will take steps to prevent the eviction of persons who are in a dying condition; and, whether it is in the power of the Government to refuse to allow the forces of the Crown to be used in evicting persons under such painful circumstances?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The District Inspector of Constabulary reports that the family was six in number; but that the "blind boy" referred to is a man apparently between 30 and 40 years of age. It was stated he had received the last rites of the Church the evening before. He was, however, well enough to walk about the yard, using the most violent language to the agent. As regards the old man, there seems to be no ground for thinking that his death was hastened by the eviction. The sergeant at Clogher saw him on the

4th instant, and he appeared to be in his usual health; and it is the general opinion that he was in no worse health on the day of the eviction than he had been for 18 months previously. On the day of eviction the Assistant Sheriff (Mr. McKelvey) appealed to his family to remove him themselves, but none of them would do so; and the Sheriff's officers then carried him out most carefully on his bed to the front of the house, where he remained about a quarter of an hour, when he was removed in a cart to the residence of his son-in-law, about one mile distant. The responsibility for the eviction seems to rest, not with the landlord, whose conduct appears to have been generous, but with the son of the deceased, who was responsible for the prolonged refusal to meet the legal obligation of the tenant.

MR. W. REDMOND: In reference to that part of the right hon. Gentleman's answer where he states that the general opinion is that the death of Bogue was not hastened by being carried out, might I ask him whether his attention has been called to the statement made by the parish priest of the district, who said that it was undoubtedly the fact that Bogue was in a dying condition when he was carried out, in spite of the protests of his friends that the unfortunate man might be allowed to remain in his house until he died, and not be cast out?

MR. A. J. BALFOUR: I was not aware of the opinion of the priest.

MR. W. REDMOND: It appears on the Question.

MR. A. J. BALFOUR: I say I was not aware of the opinion of the priest till just now; but I cannot believe it to be accurate, in view of the fact that the man's own family refused to carry him out.

MR. W. REDMOND: Might I ask the right hon. Gentleman, whether it is not a fact that the reason why the man's own family refused to carry him out was that they could not carry out a man who they saw was in a dying condition; and, also, that they asked the Sub-Sheriff to leave him in the house for a few hours until he died, as it was apparent to everyone that he must?

MR. A. J. BALFOUR: I have no evidence at all to confirm that statement.

MR. W. REDMOND: Might I ask the right hon. Gentleman, with reference to his statement that the man's death was not hastened by his being carried out when he was lying sick, in order to satisfactorily come to a conclusion on this particular point, whether he will order an inquest, so that the Sub-Sheriff, who insisted on carrying him out in spite of the protests of his friends that he was dying, may be prosecuted for manslaughter, of which he is undoubtedly guilty?

MR. A. J. BALFOUR: The ordering or non-ordering of an inquest does not rest with me.

MR. W. REDMOND: I beg to give Notice that I will, on the earliest possible moment, call further attention to the death of this man, whose death undoubtedly lies at the door of the Government.

MR. SPEAKER: Order, order!

MR. W. REDMOND: For when he was dying they cast him out.

MR. SPEAKER: Order, order!

DR. TANNER (Cork Co., Mid) rose to put a further Question——

MR. SPEAKER: Order, order! I call upon the hon. Gentleman whose name is next on the Paper to put his Question.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—THE ENNIS MEETING—REMARKS OF COUNTY COURT JUDGE KELLY.

MR. COX (Clare, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to the following report which appeared in *The Star* of June 21:—

"The sentence of three months' imprisonment passed on Mr. James Halpin for the Ennis meeting was yesterday confirmed at the Quarter Sessions by County Courty Judge Kelly. An application to make the prisoner a first-class misdemeanant was refused. Colonel Turner gave evidence of the circumstances attending the meeting at Ennis in an old corn store. Judge Kelly: How is it you did not arrest the promoters of the meeting?—The Witness; They did not give me the chance.—Judge Kelly: Oh, yes, they did. They came down here from Dublin. It is hard to punish poor people, and allow these fellows, the organisers, to go free. —The Witness: I would be only too glad to arrest them if I thought I had a chance.—The Judge: Their presence was quite enough. You had the placard and the articles in *United Ireland* calling on the people to go and hear Mr. Davitt;"

and, whether, if a prosecution is instituted, he will undertake that no part of the proceedings will be heard by Judge Kelly, in view of the fact that the prosecution was recommended by him?

MR. JORDAN (Clare, W.) also had the following Question on the Paper:—To ask the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been directed to the following report of a discussion between Mr. Kelly, County Court Judge, County Clare, and Colonel Turner, at Ennis Quarter Sessions, which appeared in *The Daily News* of the 20th instant—namely:—

"The sentence of three months' imprisonment passed on Mr. James Halpin, a member of the National League, for attending a proclaimed meeting at Ennis, was confirmed on appeal at the Quarter Sessions by County Court Judge Kelly. An application to make the prisoner a first-class misdemeanant was refused. Prisoner was taken to Limerick Prison at night.

Colonel Turner, the Divisional Magistrate, gave evidence of the circumstances attending the meeting at Ennis in an old corn store.

Judge Kelly: How is it you did not arrest the promoters of the meeting?

The Witness: They did not give me a chance.

Judge Kelly: Oh! yes they did. They came down here from Dublin, and those inciting to take part in an unlawful assembly are liable to punishment under the section. It is hard to punish poor people and allow those fellows, the organisers, to go free.

The Witness: I would only be too glad to arrest them if I thought I had a chance.

The Judge said, he could not for the life of him see why the promoters of the meeting were not arrested.

The Witness: Those who incite unlawful assemblies take very good care not to attend them. In this case we only had their presence.

The Judge: Their presence was quite enough. You had the placards and the articles in *United Ireland* calling on the people to go and hear Mr. Davitt.

The Witness: It is not too late, my Lord, to do it now.

Judge Kelly: That may be; but, at present, I do not see why the promoters of the meeting were not prosecuted.

The Witness (Colonel Turner): I shall know what to do next time;"

whether it is the practice for Judges to advise prosecutions which afterwards may come before them for decision; and, whether, if a prosecution is instituted, he will undertake that no part of the proceedings will be heard by Judge Kelly, in view of the fact that the prosecution was recommended by him?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, there had not been time to make the necessary local inquiry to enable him to give a full answer. But he might inform the hon. Member for East Clare, if it was any consolation to him, that it was not proposed to institute any further prosecutions in connection with the meeting in question.

INDIA—ADEN HARBOUR TRUST.

MR. T. SUTHERLAND (Greenock) asked the Under Secretary of State for India, Whether, seeing that three years have now elapsed since the Secretary of State wrote to India recommending the formation of a Harbour Trust for Aden, chiefly for the purpose of deepening the harbour, and that a Bill to create such Trust was passed by the Bombay Council a year ago, what reason is given by the Government of India for the delay now taking place in the accomplishment of this measure; and, what is the amount of the accumulated surplus at the credit of the Aden Port Fund from the dues levied upon vessels, for whose proper accommodation the improvement of the harbour has been shown to be absolutely necessary?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The reasons for delay are given by the Government of India in a telegram, thus—

"Cause of delay, necessity that provision should be inserted in the Bill vesting Government with power to exempt munitions of war from port charges and dues."

Pending the formation of the Port Trust, steps are being taken for deepening Aden Harbour. The balance of the Port Trust Fund is Rs.4,35,000.

CRIMINAL LAW—UNTRIED PRISONERS AND HANDCUFFS.

MR. T. M. HEALY (Longford, N.) asked the Secretary of State for the Home Department, What is the practice in England with regard to placing handcuffs on untried prisoners?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): There is no hard and fast rule with regard to the use of handcuffs in this country; but the practice recommended by the Home Office has been that handcuffing should be only resorted to where there is fair ground for supposing that either violence may be used or an escape attempted.

POOR LAW (IRELAND)—THE BALLINASLOE BOARD OF GUARDIANS.

MR. HARRIS (Galway, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Why it is that paid Guardians have been sent to Ballinasloe, at a great expense to the Union, in view of the fact that no charge of dishonesty, corruption, or extravagance can be brought against the Guardians of the Ballinasloe Union, and that on all occasions when points of difference arose between the members of the Board they have appealed in a legal manner to the Local Government Board; and, will they soon be removed?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Local Government Board was obliged to dissolve the Ballinasloe Board of Guardians in consequence of the irregular and disorderly character of their meetings, and their neglect of the business of the Union. This step was not taken without previous warning to the Board of Guardians.

TURKEY (ASIATIC PROVINCES)—ATTACK ON A BRITISH SUBJECT AT ALEPPO.

MR. MUNRO FERGUSON (Leith, &c.) asked the Under Secretary of State for Foreign Affairs, Whether it is the fact that no reparation has yet been made by the Turkish Authorities to Mrs. Barker, an English lady, resident at Aleppo, whose house there was attacked, and violently entered, by a mob, led by the then Dragoman of the Governor of Aleppo, in October, 1886; whether the house of this lady is still forcibly retained by this Dragoman, who is protected by the Governor of Aleppo; whether Her Majesty's Government have addressed remonstrances to the Turkish Government on the subject of this outrage, with regard to which a Question was put in this House on the 25th of August last; and, whether they will press energetically that the proper redress shall be made?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): No reparation has been made, as the respective claims of Mrs. Barker and the Dragoman are still the subject of litigation. Sir William White has, however, obtained the dismissal of the Dragoman, on account of his attempt to enforce his claim by violence. Both the Ambassador and the Consul at Aleppo have repeatedly advised as to the course that Mrs. Barker should pursue; and have explained that Her Majesty's Government cannot use diplomatic pressure in a case which the Law Courts are competent to decide.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ADMINISTRATION OF THE ACT.

MR. T. M. HEALY (Longford, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether a copy of the shorthand writer's notes of the Judgment of the Court of Exchequer in the Killeagh *habeas corpus* cases can be laid upon the Table; whether the Government will re-consider, in the light of this decision, the cases of such prisoners as the Milltown Malbay men, whose sentences for refusal to supply goods have been confirmed on appeal, and who are, therefore, deprived of further legal remedy; would it be possible, under the County Court Acts, for Rules to be framed by the County Court Judges, so that the convictions they affirm under the Criminal Law and Procedure Act should in all cases refer to the evidence on which the convictions were grounded, so that it may be possible for prisoners under sentence after appeal to test the legality of their imprisonment by habeas corpus; will any steps be taken in fulfilment of the pledge of the right hon. Gentleman last year, reported in *Hansard*, vol. 315, p. 284, as follows:—

> "There will be an appeal in every case to a County Court Judge, and if, on legal technicalities, the County Court Judge is objected to, the Government will be prepared to consider a plan for giving an appeal in cases in which a legal difficulty may be involved to a still higher tribunal;"

and, if he can state how many persons are still confined under sentences confirmed on appeal for conspiracy to compel and induce others to do or abstain from doing certain acts?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): I have been asked to answer this Question, as it is mainly of a legal character; but as it only appeared upon the Paper to-day, I must ask the hon. and learned Gentleman to postpone it.

MR. T. M. HEALY: This is a matter of some little importance, and I think an answer should have been given. I gave Notice of the Question yesterday, and I do not consider that it is a matter of an entirely legal character. I ask in the Question, will any steps be taken in fulfilment of the pledge of the right hon. Gentleman, reported last year in *Hansard*, which was—

"There will be an appeal in every case to a County Court Judge, and if, on legal technicalities, the County Court Judge is objected to, the Government will be prepared to consider a plan for giving an appeal in cases in which a legal difficulty may be involved to a still higher tribunal."

Surely a Question as to the carrying out of that pledge is not a Question of a legal character.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) Manchester, E.): The hon. and learned Gentleman is perfectly correct in regard to the fact that he gave Notice of this Question yesterday; and I may tell him that I telegraphed over at once to Dublin to get the necessary information. With regard to the subject itself, it has been thrashed out more than once in this House.

MR. T. M. HEALY: Can the right hon. Gentleman refer me to one instance in which the question was thrashed out?

Mr. A. J. BALFOUR: I have heard allusions on several occasions to this question in debate.

DR. TANNER (Cork Co., Mid): You said thrashed out.

MR. A. J. BALFOUR: I cannot give any date.

MR. T. M. HEALY said, that he desired an answer to the first part of the Question. Surely it was ascertainable as to whether the shorthand writer's notes of the Judge's decision would be laid upon the Table?

MR. A. J. BALFOUR: That is one of the questions we have referred to Dublin about. I do not know that there were any shorthand writer's notes.

MR. T. M. HEALY: There were.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—CONVICTIONS AT KILLEAGH FOR CONSPIRACY.

SIR WILLIAM HARCOURT (Derby) (for Mr. CAMPBELL BANNERMAN) (Stirling, &c.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that in the case of the four Killeagh shopkeepers sentenced by Resident Magistrates, three to one month's and one to a fortnight's imprisonment, under the Criminal Law and Procedure (Ireland) Act, for refusing to supply the police on the Ponsonby Estate, an application was made to the magistrates to state a case to the Court of Exchequer as to the legality of the conviction for a "conspiracy to induce others not to deal with the police;" whether the Resident Magistrates refused the application in the following terms,—namely:—

"In reply to your notice served on us on the 2nd instant, calling on us to state a case for the opinion thereon of the Exchequor Division of H.M.'s High Court of Justice in Ireland, we have considered your application, and now acquaint you that we refuse to state such case, and we now sign and deliver to you this certificate of our refusal.

(Sd.) H. E. REDMOND, R.M.,
(Sd.) J. C. GARDINER, R.M.,
The Resident Magistrates who heard and determined the complaint.

Dated at Cork, 4th June, 1888;"

whether the Act allows such refusal, except on the ground that the application was "frivolous;" whether the Court of Exchequer has ordered the discharge of the prisoners on *habeas corpus*, on the ground that "there was absolutely no evidence to support the charge;" whether, as the prisoners by the refusal of an appeal were compelled to undergo many days of illegal custody, any compensation will be made to them; and, whether the Irish Government intend to notice in any way the action of these magistrates?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Question is identical with one that stands in the name of the hon. Member for Elgin and Nairn (Mr. Anderson). This is one of those Questions as to which I should be glad to have Notice. As the right hon. Gentleman will see, this Question is one as to which it is absolutely necessary I should apply to Dublin for the information he desires.

SIR WILLIAM HARCOURT: I would ask this Question, if the right hon. Gentleman cannot give me any other information, whether these two Resident Magistrates are magistrates who have been, under the terms of the Crimes Act, "certified by the Lord Lieutenant as persons of the sufficiency of whose legal

knowledge he is satisfied;" whether, after the remarks of the Judges upon their conduct, the Lord Lieutenant is still satisfied as to their legal knowledge; and, whether the Irish Government intend to keep them as persons to administer the exceptional powers of the Crimes Act?

MR. A. J. BALFOUR: I speak under correction, and without absolute cognizance of the fact; but my belief is that these gentlemen have been certified as legally competent so long ago as the year 1883.

SIR WILLIAM HARCOURT: I wish—["Order!"]

MR. A. J. BALFOUR: I believe they were certified by Earl Spencer.

MR. T. E. ELLIS (Merionethshire): Not under the Crimes Act.

MR. A. J. BALFOUR: The hon. Gentleman is mistaken. It was under the Crimes Act.

MR. T. E. ELLIS: Ridiculous.

MR. A. J. BALFOUR: With regard to the second part of the Question, the fact that a decision of an Inferior Court has been over-ruled by a Superior Court, is not, in my opinion, sufficient reason for making any complaint against the magistrates.

SIR WILLIAM HARCOURT: Arising out of my Question, and in face of the answer of the right hon. Gentleman, I would ask him whether, until the Act of last Session, there was any jurisdiction given to these magistrates on questions of conspiracy; and I would also ask him whether his attention has been called to the observations of the Judges of the Court of Exchequer as to the treatment of these cases, and the refusal of the magistrates to state a case.

MR. A. J. BALFOUR: Sir, the Act of 1882, for which these magistrates were, as I have already stated to the House, certified as being competent in the matter of legal knowledge, was quite as difficult an Act to administer as this Act. [*Cries of* "Answer the Question!"] That is the answer to the Question. ["No!"] Perhaps the right hon. Gentleman will repeat the Question.

SIR WILLIAM HARCOURT: I should like to know really whether the attention of the right hon. Gentleman has been called to the strictures of the Court of Exchequer on the conduct of the magistrates in this particular case, to the decision given that there was no evidence to support the charge, and that the magistrates refused to state a case for the opinion of the Court above?

MR. A. J. BALFOUR: I have seen a report, but I do not know how far it is authentic, of the observations of one Judge making comments of the nature indicated by the right hon. Gentleman; but I would point this out—that if it had been the opinion of the prisoner's counsel that the refusal to state a case was a frivolous one, he could have applied to the Court of Queen's Bench and compelled him to state a case.

MR. T. M. HEALY: The right hon. Gentleman has alluded to the prisoner's counsel. Allow me to say——

MR. SPEAKER: Order, order! If the hon. and learned Gentleman wishes to put a Question to elucidate any point he is entitled to do so, but he cannot introduce any matter of argument.

MR. T. M. HEALY: The right hon. Gentleman, Sir, has referred to me. He has stated that if the prisoner's counsel held a particular opinion he ought to have done so and so.

MR. A. J. BALFOUR: I said, could.

MR. T. M. HEALY: Well, could. I think I am entitled to state that on a former application made to the Court of Queen's Bench in the Brosnan case—a man whom the right hon. Gentleman was afterwards compelled to liberate unconditionally—an application was made for a *mandamus* to the magistrates to state a case, and it was dismissed by the Court as frivolous; and that afterwards, in the case of Sullivan, who was released by the Court of Exchequer on *habeas corpus*, the Queen's Bench Division refused a *certiorari*. No counsel for any prisoner would have any chance of getting any satisfactory decision——

MR. SPEAKER: Order, order! Mr. Schwann.

LAW AND POLICE (IRELAND) — INSTRUCTIONS TO PREVENT ASSEMBLIES IN THE STREETS AT TRIALS.

MR. SCHWANN (Manchester, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any new instructions have been issued during the last nine months to the Royal Irish Constabulary Forces, as to the prevention of any assembly of persons in the streets after the holding of trials

in the various Court-houses in Ireland?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): This is one of the Questions put down without Notice. I can assure the hon. Gentleman there has been no new departure; but I cannot give him a more specific answer without further Notice. I have inquired whether a Circular was issued—it is possible it may have been; but there has been no new departure. If the hon. Gentleman will repeat the Question on Monday, I will give him an answer.

H.R.H. THE COMMANDER-IN-CHIEF—THE PATENT.

MR. E. ROBERTSON (Dundee) asked the Secretary of State for War, Whether he will lay upon the Table a Copy of the Patent recently issued to the Duke of Cambridge as Commander-in-Chief?

SIR HERBERT MAXWELL (A LORD of the TREASURY) (Wigton) (who replied) said: Yes, Sir; if the hon. Member will move for a Copy of the Patent, it will be granted.

LAW AND JUSTICE (IRELAND)—CHANCERY DIVISION (LAND JUDGES) COURT—MR. P. McDERMOTT, J.P.

MR. CHANCE (Kilkenny, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Peter McDermott, of Ashfield House, Kilkenny, J.P. for the City of Kilkenny, was receiver under the Chancery Division (Land Judges) in "Reade *v.* Reade," failed to account for moneys received by him, and, in November, 1885, filed a sworn account stating as due by the tenants arrears of rent actually received by him; whether some of the moneys thus omitted to be accounted for have since been paid into Court; whether Mr. Justice Boyd, on February 23, 1888, directed proceedings to be taken against Mr. McDermott for the balance; and, what steps the Government intend to take in the matter?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, that the case of "Reade *v.* Reade" had long since closed, and the Question, therefore, related to another case in which there was some £5 14*s.* 4*d.* outstanding, and the Judge directed an application to be made to Mr. McDermott for an explanation in regard to it. The Government did not propose to take any action in the matter.

MR. CHANCE: I wish to call the right hon. Gentleman's attention to the Question, and to point out that he has not answered a particular item of it. I have asked him whether this Mr. McDermott failed to account for money received by him? I ask an answer to that paragraph of the Question.

MR. A. J. BALFOUR said, that the hon. Member must be inaccurate in his Question, because the suit of "Reade *v.* Reade" had been disposed of for some time.

MR. CHANCE: What I wish to ask the right hon. Gentleman is, whether in November, 1885, Peter McDermott filed a sworn account containing a statement which was untrue?

MR. A. J. BALFOUR: The hon. Gentleman will, I think, see that it is not my business to interfere with the action of a Court of Justice, over which I have no control whatever?

MR. CHANCE: I am sorry to trouble the House, but I must point out that I have asked the right hon. Gentleman whether this gentleman is a Justice of the Peace, and whether the Government intend to take any steps in the matter?

MR. A. J. BALFOUR: The Government propose to take no step in the matter. I am sorry my voice did not reach the hon. Gentleman, but I said so in the first instance.

MR. CHANCE: Will the right hon. Gentleman state that the Government will not enter a *nolle prosequi* if this gentleman is prosecuted for embezzlement?

[No reply.]

POOR LAW (IRELAND)—BALLINASLOE POOR LAW BOARD.

MR. HARRIS (Galway, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that in the Ballinasloe Poor Law Board the elected Guardians and the *ex officio* Guardians are nearly equal as regards numbers; that, owing to this fact, close and bitter contests have arisen from time to time at the election of Chairman and Deputy Chairman to the Board; why, having regard to this state of things, did the Local Government Board delay a fortnight before they replied to the objec-

tions sent to them against the election of Mr. John Gardiner as Chairman of the Ballinasloe Board of Guardians; whether they have pronounced the action of the gentleman who presided at the election of Mr. John Gardiner, on the 4th of April last, as illegal, and have issued an order for a new election; whether he is aware that the gentleman who acted in this illegal manner had the sanction of the Local Government Board to act as presiding officer, and that he was voted into that position by the *ex officio* Guardians, and against the will of the elected Guardians, and that this course was at variance with the usage of the Board, which up to that time always got the Clerk of the Union to act as presiding officer at the election of Chairman; whether the Local Government Board have received a formal communication signed by six of the elected Guardians claiming the Chairmanship for Mr. Thomas Byrne, who got 18 votes, Mr. Gardiner getting 19 at the election of the 4th of April, on the ground that some of the *ex officio* Guardians who voted for Mr. Gardiner had no legal right to vote; whether, at the election held on May 16, a formal protest was handed to the Chairman objecting to a new election on the ground that Mr. Byrne was the legally elected Chairman of the Board, and formal objections lodged against Major Thornhill, Mr. Orme Handy, and Mr. J. W. Potts, as having no right to vote at the election of Chairman; whether it is true that in the interval between the 14th of May, the day on which these objections were lodged with the Local Government Board, and the 23rd of May, the day on which the new Board first met, no answer to these objections had been received from the Local Government Board; that in consequence of such delay the Board had to adjourn, being powerless to go on with business while in a state of uncertainty as to their right to act as a legally-constituted body; and, is it on account of this failure on the part of the Ballinasloe Poor Law Board to fulfil duties which, owing to the inaction of the Local Government Board they were powerless to perform, that paid Guardians have been sent down to transact the business of the Union?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, that the Local Government Board had taken the course referred to in the case of the Ballinasloe Board of Guardians in consequence of the irregular and disorderly character of the meeting, and their neglect of the business of the Union. This step was not taken without previous warning to the Guardians.

MR. HARRIS said, the right hon. Gentleman had not given any answer to the part of the Question in reference to the absence of any charge of dishonesty or corruption against the Board in question.

MR. A. J. BALFOUR said, he did not know that any such charge was made; but, however that might be, the complaint constantly made by the Local Government Board was that they were incapable of doing their business, and were engaged in riotous proceedings, which on more than one occasion called for the intervention of the police.

MR. CHANCE (Kilkenny, S.): May I ask whether or not this Board was dissolved because they took proceedings to set aside the riotous, disorderly, and illegal election of a Conservative Chairman?

MR. A. J. BALFOUR: I am not aware, Sir, that riotous and disorderly applies to but one section of the Guardians to whom the hon. Gentleman refers.

MR. CHANCE: That is not an answer to my Question. What I asked was, whether this Board was not superseded immediately after they had instituted proceedings to set aside the riotous, disorderly, and grossly illegal election of their Conservative Chairman?

MR. A. J. BALFOUR: If the hon. Member is not satisfied with my answer, perhaps he will put a Notice on the Paper.

POST OFFICE (SAVINGS BANK DEPARTMENT).

MR. MACDONALD CAMERON (Wick, &c.) asked the First Lord of the Treasury, Whether he is aware that, since the 1st of December last, it has been necessary to constantly employ in the Savings Bank Department of the General Post Office a large number of officers for considerably longer than six hours a day; and, whether any application has been made for an increase of staff; and, if so, whether the Treasury will now take steps to insure the im-

mediate introduction of the seven hours' scale into this Department?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, the question of the establishment of the Savings Bank Department was receiving the consideration of the Treasury in concurrence with the Postmaster General, and he hoped they would be able to make such arrangements as would tend to the efficiency and economy of the Public Service.

THE INDIAN BUDGET.

MR. KING (Hull, Central) asked the First Lord of the Treasury, Whether he can fix an early day for the Indian Budget Statement, or about when it may be expected?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, it was impossible for him to name a day when it would be introduced; but the Papers were in the hands of hon. Members, and they could fully inform themselves on the subject of Indian finances.

MR. BRADLAUGH (Northampton) asked, if the Government would undertake that the debate should take place before the last days of the Session, when it would be discussed to empty Benches?

MR. W. H. SMITH said, the hon. Member must be aware that it was utterly impossible to enter into any engagement with regard to the Indian Budget, looking at the present state of Business.

MR. CONYBEARE (Cornwall, Camborne) desired to know whether the Indian Budget was not of equal importance with the Local Government Bill.

MR. SPEAKER: Order, order!

THE MAGISTRACY (IRELAND)—MR. CECIL ROCHE, R.M.

MR. T. M. HEALY (Longford, N.): I want to ask the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the fact that, notwithstanding the decision of the Court of Exchequer, the Resident Magistrate has refused to state a case of a priest of the County Clare, who was charged with illegal assembly in addressing a meeting from a boat on the Shannon, and who was sentenced to one month's imprisonment without bail by Mr. Cecil Roche; and, whether the Government will draw the attention of the Resident Magistrates in Ireland to the rights of the subject in these cases?

MR. CONYBEARE (Cornwall, Camborne): I wish to ask the right hon. Gentleman, whether it is the fact that in making an application for a *mandamus* to the Court of Queen's Bench to compel the magistrate to state a case, the application has to be made to a Court of which Mr. Justice Holmes and Mr. Justice Gibson, who carried the Coercion Act, are members?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I cannot answer the Question without Notice. With regard to the Question put by the hon. and learned Member for Longford, I have to remind him that the statement made by the Judge had reference not to stating cases generally, but to the action of the magistrates with regard to the one particular subject that came before them. There can be no applicability to the case of Mr. Roche. If the hon. and learned Member thinks Mr. Roche ought to have stated a case, he has ample power to go to the Queen's Bench.

MR. T. M. HEALY: As there is a controversy in regard to the observations of the Judges, will the right hon. Gentleman be able to tell us whether the exact observations which were recorded by a shorthand writer will be laid upon the Table?

MR. A. J. BALFOUR said, he did not think there was any controversy in the matter. That only arose with reference to some of the Questions that had been put upon the Paper on the subject.

MR. T. M. HEALY: My Question is, whether, on Monday, the right hon. Gentleman will be able to tell us whether we shall be able to have an exact copy of the Judge's observations?

MR. A. J. BALFOUR: I certainly shall be able to answer the Question on Monday.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887.

MR. JOHN MORLEY (Newcastle-upon-Tyne): Mr. Speaker,—At the opening of our proceedings to-day you read from the Chair a letter announcing to the House that Mr. John Dillon, a Member of this House, had been sent to prison for six months. I wish, Sir, to give

Notice that I shall submit the following Resolution:—

"That, in the opinion of this House, the operation of 'The Criminal Law and Procedure (Ireland) Act, 1887,' and the manner of its administration, undermine respect for Law, estrange the minds of the people of Ireland, and are deeply injurious to the interests of the United Kingdom."

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I wish, Sir, to give Notice, in general terms, that on Monday I will request the right hon. Gentleman the First Lord of the Treasury to appoint a day for the discussion of the Motion of which my right hon. Friend has given Notice.

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I have listened with attention to the Notice which the right hon. Gentleman gave; and feeling that it is one which challenges the conduct of the Government in every respect, I think it only right to respond at once, and to say that the Government will place Monday at the disposal of the right hon. Gentleman.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.

MR. CLANCY (Dublin Co., N.): I wish to ask the First Lord of the Treasury whether the rumour is true that the Government intend to drop five more clauses of the Local Government Bill, and, if that question be answered in the affirmative, whether it would not be for the convenience of the House to announce at once the entire number of clauses which will be abandoned, instead of giving the information by instalments?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am not aware of the rumours to which the hon. Member has referred, and, therefore, I am quite unable to answer the Question he has put to me. The Government have given Notice of their intention to drop certain clauses of the Bill, and to that Notice they will adhere. It will be quite time, if it becomes necessary to drop any other clauses of the Bill, in consequence of prolonged discussion, it will be quite time enough for us, when that necessity arises, if it arises in consequence of that discussion, to make a statement to the House upon the question.

ORDER OF THE DAY.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.—[BILL 182.]

(*Mr. Ritchie, Mr. William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Secretary Matthews, Mr. Long*)

COMMITTEE. [*Progress 19th June.*]

[NINTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART I.

COUNTY COUNCILS.

Powers of County Council.

Clause 8 (Transfer to County Council of powers of certain Government Departments and other Authorities).

Amendment proposed,

In page 5, line 24, after the word "day," to insert the words, "it shall be lawful for the Local Government Board to make from time to time a Provisional Order for transferring.—(*Mr. Chaplin.*)

Question again proposed, "That those words be there inserted."

MR. CHAPLIN (Lincolnshire, Sleaford) said, that when the Committee adjourned on Tuesday, some misunderstanding had arisen with reference to the Amendment. In the course of the discussion some words were addressed to him which, in justice to himself, he thought he should refer to. He must frankly admit that he was somewhat irritated by what had occurred on Tuesday afternoon. He had moved an Amendment in as few words as he could, being desirous to save the time of the Committee, which Amendment was supported by the hon. Member for the Blackpool Division of Lancashire (Sir Matthew White Ridley), the right hon. and learned Gentleman the Member for the Universities of Edinburgh and St. Andrew's (Mr. J. H. A. Macdonald), followed by the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) and other hon. Members, including the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), who gave a qualified support to the Amendment, as he desired that the transfer should be effected by means of a Provisional Order, instead of an Order in Council. The Government had

intimated their intention of accepting his Amendment, and had agreed generally to the proposal made by the right hon. Gentleman the Member for Halifax, and it looked as if something in the nature of the Amendment was to be adopted. Whereupon occurred a most unusual incident—an hon. Member sitting on the Front Opposition Bench (Mr. C. T. Dyke Acland), who had not heard a word of the Debate, interposed with a speech which led to a prolonged wrangle, which terminated in a Motion to report Progress being carried. Now he (Mr. Chaplin) had said as little as possible on the former occasion in support of his Amendment, as he was anxious to save the time of the Committee; but the Amendment was now in a different form upon the Paper, and perhaps the Committee would allow him to explain more fully the object he had in view in moving it. In the first place, he was most anxious to dispel the idea that there was the slightest desire or intention on his part, or on the part of hon. Members on that side of the House, to do what had been called by Gentlemen opposite, revolutionize the principle of the Bill. However that might be, he pointed out that a blind trust in the people was not of itself sufficient to make a Bill of this complicated character into a working measure. They wanted to make it a thoroughly workable and business-like enactment, and he protested that the clause as it was now drawn was not likely to attain that object, and it was in order to ensure the end he had in view that he moved the Amendment now standing in his name. The clause as it stood proposed to transfer by Statute certain powers, duties, and liabilities of Secretaries of State, Board of Trade, and Local Government Board to the County Councils. It further proposed to transfer certain other powers which were at present vested in the Privy Council and the Education Department and other Departments, as well as certain powers at the present time enjoyed by certain of the counties themselves, some of which were exceedingly important, and involved the expenditure of enormous sums of money. Now, the clause proposed to do all this, subject only to the Proviso contained in the 3rd sub-section of the clause. He wanted the Committee to consider how the clause would work, and he must point out, in the first place, that the powers which it proposed to transfer under the 1st subsection were very considerable. There were powers vested in the Local Government Board, some of them comparatively unimportant; others again were of great importance, and then there were the powers of the Board of Trade, which in his judgment, were of supreme importance, and which it was most undesirable should be transferred by Statute. The powers of the Board of Trade differed considerably from the other powers to which he had referred, and would be found by reference to the second part of the Schedule. They were as follows—The General Pier and Harbour Acts, The Gas and Water Works Facilities Act, The Tramways Act, 1870, and the Electric Lighting Act, 1882. Those powers were now carried into effect under the admirable Staff now possessed by the Board of Trade, a Staff of great experience, and one under which what was called political continuity, so desirable in matters of this kind, was very successfully insured. As an illustration of the admirable way in which the duties of the Department had been performed, he would like to call attention to the fact that, out of 256 Provisional Orders moved by the Board of Trade with regard to tramways, 242 had been actually carried; out of 279 Provisional Orders in the matter of Gas and Water, 276 had been carried—that was to say, out of a total of 535 Provisional Orders, 518 had been carried. That was very strong testimony to the admirable way in which these matters had been dealt with by the Department up to the present time. Now, on the supposition that the clause were carried in its present form, and that the Bill, as he hoped would be the case, passed into law during the present Session, all these powers of the Board of Trade would cease, and would be transferred to the new County Councils. But, further, before the County Councils could be in a position to act, various promoters in different parts of the country might, and very probably would, want powers for Harbours, Piers, Gas, Water, and Tramways, and he would ask who was going to do the work, because it must be borne in mind that the Councils would have been only just elected; and they would not, therefore, have the necessary machinery at their disposal. He could conceive of no-

thing more likely to bring things to a deadlock than that the clause should come into operation in its present form. In saying that he had no desire to eviscerate or emasculate the Bill. He was anxious that, as soon as the Bill was passed, there should be machinery in existence which would enable these powers to be carried out as before; at the same time that the Government of the day should have the power to proceed in certain respects by Provisional Order, of course subject to the consent of Parliament. What he contemplated in the case of the clause passing without his Amendment, which he hoped would be accepted, he believed would happen; and probably his right hon. Friend would be able to give his view of the subject. There were a great number of the powers to be transferred and specified in the Schedules which were not of very great importance, and which might be transferred *en bloc* by a Provisional Order to the new authorities; there were others in connection with the public health, and similar matters, the transfer of which from the Local Government Board, he thought, would be a matter for consideration; but with regard to those vested in the Board of Trade he was satisfied, for the reasons already stated, that it would be unwise and injudicious that they should be transferred as a whole to the County Council, and the Board of Trade altogether deprived of them. For these reasons, he ventured to submit the Amendment on the Paper to the Committee.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, as the Amendment of the right hon. Gentlemen went to the very essence of the principle of transferring these powers to the County Council. He thought they had better deal with it on the Schedules of the Bill. It seemed to him that the way to defeat the object of the Bill would be to carry it in such a form that these important matters should be left to the discretion of the Government for the time being. He thought the Government should make their views upon this subject more clear, or else consent to the postponement of the clause. They were now entering upon a totally different part of the Bill—namely, that which delegated to the local Bodies the powers now exercised by the Central Authorities at Westminster. It seemed to him, in view of the serious import of this portion of the Bill, that the Government should have determined what powers they really intended to transfer to the local Councils before this, and that it was altogether inconsistent and indecorous that they should be, as they appeared to be, ready to surrender the whole of their scheme of delegation, and reserve the powers in question to Her Majesty's Executive Government. He could quite understand that some comparatively small towns did not like to be transferred from the dominion of the Board of Trade to the Councils; but if Her Majesty's Government really wished to give practical and substantial effect to the measure, they must with regard to powers now vested in the central authority, give before long something in the nature of modified Home Rule to the great Provinces of the Kingdom. Such a principle, he thought, might be applied with good effect to London, and such great counties as Yorkshire and Lancashire. On the whole, as it seemed to him Her Majesty's Government were prepared to accept the Amendment, it would perhaps be better to drop the clause for the present.

SIR WILLIAM HARCOURT (Derby) said, he wished to make an appeal to the Government to know what course they intended to take in the matter. It was understood the other night that they would put down Amendments for which they were to be responsible, and he wished to point out that, practically speaking, the right hon. Gentleman below the Gangway, by this and subsequent Amendments, wished to withdraw the 8th clause, and he should like to know whether the Government were prepared to withdraw any more clauses without Notice. The Amendment in the name of the right hon. Gentleman, if adopted by the Committee, would in reality destroy the object and intention of the clause.

MR. CHAPLIN said, he hoped that he might be allowed to explain. The Amendment, as it stood now, was moved at the request and instigation of the right hon. Member for Halifax (Mr. Stansfeld), who had led the Opposition in this matter.

SIR WILLIAM HARCOURT said, the right hon. Gentleman was not quite accurate in his assertion, and he was sorry that his right hon. Friend the

Member for Halifax was, in consequence of illness, prevented from being in his place. If the Government would state in the Schedule of the Bill what powers they proposed to delegate to the County Councils, then the County Councils, when they were elected, would know what they had to do. The matter as it stood was left to a Provisional Order, and a Provisional Order meant nothing more nor less than this—another Act of Parliament under another name. What he complained of in the course of the progress of the Bill was the crumbling away, day by day, of all the main provisions of the measure. The Committee were aware that there were other clauses to be omitted besides this, and the section they were now discussing was one of the most vital and important clauses in the Bill in reference to the transfer of powers to the County Council. Nevertheless, at the instance of the right hon. Gentleman below the Gangway, the Government were about to strike it out of the Bill.

MR. CHAPLIN said, he wished to remind the right hon. Gentleman that the Amendment assumed its present form at the request of his own Party.

SIR WILLIAM HARCOURT said, he was not arguing the matter from a Party point of view. The right hon. Gentleman seemed to be incapable of dealing with it from any other point. There were many other clauses which were to share the same fate. So far as he was concerned, he intended to support the clause, even in opposition to the Government. He desired to see the clause kept as it was. If there were any powers improperly proposed to be transferred under it, let them be omitted in the Schedule. He should like the Committee to consider fairly how they stood. If they dabbled with this and other clauses, what were they going to leave to the County Councils? What they had given to the County Councils in Clause 3 was, broadly speaking, nothing, and they had been relying upon Clause 8 to find the Council something to do. Now, however, it was proposed to get rid of Clause 8. The object of Clause 8 was to place very important powers in the hands of the County Councils, and he very much feared that if they took away those powers which were to be transferred by the clause as it stood, the usefulness and the authority of the County Councils would be greatly impaired. Unless the clause were allowed to remain in the Bill as it stood, what would be its effect? It would be impossible to get competent men to remain on the County Councils for the purpose of doing nothing. That was the great fear that was entertained. With certain exceptions, he approved of the constitution of the County Councils, and he approved of many of the functions which it was proposed to confer upon them; but he would like to see them with really operative functions. Would that be so if this clause were removed from the Bill? What would the City Councils then have to do? As far as he could make out, they would have to deal with the main roads. But, surely, that was not a very important power to confer upon the Councils. Then, again, they would have to appoint a Visiting Committee for the lunatic asylums, and would have to attend to the registration and the rules of scientific societies. In point of fact, they would merely have such jurisdiction as could be readily carried out by a committee. So far as their powers and duties were embodied in the Bill, that is all they would have to do. The Government were now cutting away all the more important functions it was originally intended the County Councils should exercise. He was of opinion that it would be far better to give them something and not be so very disappointing. He hoped the Government would not encourage this proceeding. He knew that the right hon. Member for the Sleaford Division of Lincolnshire looked with no particular friendly eye on these Councils, and he knew that not only were there Members of that House, but others who were not Members of it, who regarded the Bill unfavourably. They would rather not have the County Councils created, and they desired that when they were created they should have as nearly as possible nothing to do, and no power and no authority. He was certain that that was not the intention of the Government; but he believed they were absolutely sincere in their desire to create a useful and powerful body. Nevertheless, step by step, they were taking away the powers originally given by the Bill. He entreated them to stand by that clause, and if they did so, he could assure them

of the general support of that side of the House.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, he did not know whether the right hon. Member for Derby (Sir William Harcourt) included his right hon. Friend the Member for East Wolverhampton (Mr. Henry H. Fowler) among those who desired to eviscerate that clause. It was necessary in consequence of the remarks of the right hon. Gentleman, that he should call the attention of the Committee to the arrangement which was entered into on Tuesday last, when the clause was under discussion. It was perfectly true that the clause, as it stood in the Bill, first of all transferred by way of Schedule certain powers to the County Councils, and that it, secondly, proposed in reference to other powers, that they should be subsequently transferred by means of an Order in Council. When the clause came on for discussion, his right hon. Friend the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) rose and moved an Amendment by which all the powers were not to be transferred at once, but by Order in Council. That proposal was supported by at least half-a-dozen Members, who spoke on both sides of the House, and among others by the right hon. Member for East Wolverhampton, who, during the discussion of the Bill, had given great attention to the details of the measure, and whose knowledge of the subject would not be denied or gainsaid by any Member of the House. He even thought that the right hon. Member for Derby would be willing to acknowledge that the right hon. Member for East Wolverhampton, from his experience, was better able to express an opinion than he was himself. Then again, the right hon. Gentleman the Member for Halifax had been regarded, whether rightly or not he did not know, as having charge of the Bill from the Front Bench opposite. In the course of the discussion, that right hon. Gentleman rose and gave a qualified approval of the proposal of the right hon. Member for the Sleaford Division of Lincolnshire to transfer the powers by an Order in Council, but suggested that it would be more convenient if the change were made by a Provisional Order Bill, instead of an Order in Council. The Government, recognizing as they did in reference to many of the details of the Bill, that they were quite open to learn by the experience of Gentlemen who had long been connected with the question of Local Government in that House—the Government recognized that there was great force both in the remarks of the right hon. Member for the Sleaford Division of Lincolnshire, and also in the suggestion of the right hon. Member for Halifax. Looking at the fact that the County Councils were not likely to come into active operation until April next year, it was quite a debatable point whether it was not desirable instead of at once saddling them with a considerable number of duties requiring great experience, to take some steps by which all the powers, or any part of them, might be made the subject of investigation at the hands of a Select Committee of the House of Commons. Such a Committee would be able to go into one and all of the various powers proposed to be conferred with a view to see whether all or some of them might be transferred, or whether some alterations ought to be made in the proposals of the Bill. That was a proposition which the Government considered reasonable, and they accordingly assented to the suggestion of the right hon. Member for Halifax, stating that, so far as they were concerned, they saw no objection to the course of procedure he proposed. But no sooner had they made that concession, than hon. Members opposite rose and protested against it, not one single voice having previously been heard in opposition to the view expressed by the right hon. Member for the Sleaford Division and by the right hon. Gentleman on the Front Bench opposite. Now, what were the real facts of the case? As he had said, these County Councils did not really come into power until April, 1889. There was, therefore, plenty of time between now and the commencement of next Session of Parliament for the Government to prepare and introduce a Provisional Order Bill, specifying the powers that were to be handed over to the County Councils.

SIR WILLIAM HARCOURT asked, if that Bill would be brought in during the present Session?

MR. RITCHIE said, no; not during that Session. The right hon. Gentle-

man knew perfectly well that it would be quite impossible to pass a Provisional Order Bill that year; but if it were presented early next Session it might be proceeded with at once, and passed rapidly into law. The right hon. Gentleman assumed that the Government had a desire to create County Councils, and then give them nothing to do.

SIR WILLIAM HARCOURT: No.

MR. RITCHIE: That was the whole gist of the speech of the right hon. Gentleman, who said—"Are we to trust the Government to do anything of the kind, if we do not do it now in the Bill."

SIR WILLIAM HARCOURT begged the right hon. Gentleman's pardon. He did not say that; but he had pointed out that by a Provisional Order they would not have the powers transferred in time for the election of the new Councils, and the men elected would not know what they had to do. All he desired to point out was that the first election would take place without the County Councils knowing what the powers were they would have to discharge.

MR. RITCHIE said, the right hon. Gentleman wanted to know what the County Councils were to do. It had been stated again and again that this new Body was being created in the hope of placing in the Schedule of the Bill the powers conferred by the measure. It was, however, recognized on all hands, that it would be unwise and impolitic for the House to saddle these new Bodies with the powers they would have to perform until the Councils themselves had had some experience of the nature of the work and were ready to settle themselves down into working order. How could the right hon. Gentleman say that the County Councils would be elected in ignorance of what they would have to do, when the Government in the Bill made proposals in reference to all the questions that were scheduled in the measure, and only refrained from carrying them into an Act in consequence of representations made to them that it would be better early next Session to make provision for it. The right hon. Member said that the most important of those powers were the powers connectedwith Provisional Orders, and he thought the right hon. Member for Derby would acknowledge the truth of that remark. Therefore, it would not be at all satisfactory to say that they proposed to transfer at once certain powers which the Home Secretary now had, and then to refrain from doing more. There was not the smallest justification for supposing that the County Councils would be prejudiced in their election by the position which the Government had taken up in response to the appeal from the other side of the House. He could only say that the Government had shown their desire to secure that the powers of the County Councils should be ample, but they acknowledged that there was great force in the objections which had been made, that many of these powers would be transferred without sufficient examination by a Select Committee of the House. They would undertake to have a Provisional Order Bill drawn up and presented to Parliament at the earliest moment, with a view of showing that they had no desire to create a great and important machine like this, and then to give it nothing to do. That was the reason why he supported the Amendment of his right hon. Friend the Member for the Sleaford Division of Lincolnshire, and he was certain that the proposal would meet the approval of the right hon. Member for East Wolverhampton.

SIR LYON PLAYFAIR (Leeds, S.) said, he had waited with anxiety to ascertain what position the President of the Local Government Board intended to take with regard to the subsequent Amendments which appeared on the Paper in the name of the right hon. Member for the Sleaford Division of Lincolnshire, because those subsequent Amendments altered the whole position as it was discussed the other day.

MR. RITCHIE said, he was sorry if he had not made that matter clear. This Amendment was only preliminary. He was not prepared to say that he would accept all the Amendments upon the Paper; but what he did accept now was to transfer these powers by means of a Provisional Order.

SIR LYON PLAYFAIR said, he wished to point out that the whole position would be altered if these Amendments were accepted by the Government, and he desired to point out the way in which the matter stood when it was last under discussion. Many Members were opposed to the Amendment of the right hon. Member for the Sleaford Division

of Lincolnshire altogether. He had not been one of those. He had thought that it would be wise to give instructions to the County Councils in cases where experience was required by means of a Provisional Order or an Order in Council. The powers which it was proposed to transfer to the County Councils had never been given to the municipalities, and the County Councils not having had the experience of the municipalities would certainly not be prepared at the first moment to exercise the powers proposed to be conferred upon them. But what was the position to-day, if the Government accepted the subsequent Amendments of the right hon. Gentleman opposite. It simply meant the destruction of Clause 8. Everything up to line 48 was cancelled by the Amendment. If the Amendment were passed, the whole of the Schedules would go, because the effect would be to cause their disappearance from the Bill, and the whole purpose and object of Clause 8 would have vanished. Under such circumstances, he could not vote for the Amendment. If the Government would give an assurance that they would oppose this process of the evisceration of Clause 8 and would retain the Schedule, he would hold himself to his promise and would support them, because he thought it better that the Government should give instructions as to what powers the County Councils were to exercise. By assenting to the course now proposed, that would give to the Government the power of decentralizing the whole matter.

Mr. RITCHIE said, he did not think the right hon. Gentleman could have heard the whole of the discussion upon this subject. One of the arguments of the right hon. Member for East Wolverhampton was that if the clause were allowed to stand as it was in the Bill it would lead to a long and endless discussion on these very Schedules, and that was one of the chief arguments the right hon. Gentleman used in favour of his proposal. It was certainly an argument which he (Mr. Ritchie) had regarded as a very powerful one. The right hon. Gentleman opposite (Sir Lyon Playfair) did not seem to have heard the discussion which took place in reference to the Schedule, and he now said that the Government were going to omit a large portion of the clause. That was perfectly true; but it was necessary to do so because the clause was divided into two parts. It, therefore, became necessary that much of what was contained in the 1st sub-section should be applied to the 2nd sub-section, and the proposal of the right hon. Member for the Sleaford Division (Mr. Chaplin) was to deal with both sub-sections in the same way. The Government, therefore, allowed an amalgamation of the two sub-sections, and that was the sole reason why the words referred to by the right hon. Gentleman were proposed to be struck out.

Sir LYON PLAYFAIR said, he had heard the whole of the discussion, and his interpretation of it was, and he thought it a good explanation, that if they were to give these complex powers, it was not desirable to transfer them at once to the County Councils, but to give the power of doing so by means of a Provisional Order. That would render it unnecessary to discuss the Schedules in such detail as would otherwise be essential. He thought that that was a proper suggestion; but he had not dreamt that the right hon. Gentleman was going to strike out the Schedules altogether.

Mr. LLEWELLYN (Somerset, N.) said, he thought that after the statement of the right hon. Gentleman the President of the Local Government Board the opposition of hon. Members opposite was unreasonable. He thought it was necessary to examine carefully the powers which the Bill proposed to transfer. He had been somewhat alarmed in the first instance at the restrictive powers of the Amendment, but it had been clear altogether that the Government had no intention whatever of restricting the power it was proposed to confer upon the County Councils, and, in regard to the Amendment of the right hon. Member for the Sleaford Division (Mr. Chaplin) there was nothing more reasonable than that a full opportunity should be afforded for considering what powers were to be transferred. He was inclined to think that many hon. Members who had taken part in the discussion of the clause had lost sight of the importance of not handing over these powers at once by wholesale. He was of opinion that the County Councils would not be perfectly capable of carrying them out, and he should vote against the Amendment if he did

not see that the practical effect would be to give them experience and knowledge of the work they were to perform. Take, for instance, the power with regard to the issue of Provisional Orders as to the carrying out of works. If this power were handed over at once to the Local Authority, what means would the Local Authority have of carrying out and giving consent to the issue of Provisional Orders in connection with such works as drainage? The money which would have to be borrowed would be a difficulty in itself; it would be necessary to apply to the Public Works Loan Commissioners, and the Public Works Loan Commissioners were not likely to grant a considerable sum without some evidence of an engineering character as to the value of the work proposed to be done. So, in regard to other works, a scheme would have to be properly prepared and submitted before the money could be borrowed. It would, therefore, be necessary to have an inquiry on the spot at which objections could be raised, and the whole matter would be fairly threshed out. It was ridiculous to suppose that any County Council would at once embark in any measure of this kind without such a preliminary inquiry; therefore, it was a wise precaution on behalf of the Government to see that the machinery was in working order before they handed over these powers to the County Councils. He hoped there would be no delay in granting the powers which he regarded as so important. It was of the highest importance to remove the power of decentralization, and get rid of the clog of Business that occurred upstairs. It was also desirable to relieve those who at present took part in projects of this kind, from the dreadful responsibility of bringing a local Bill before Parliament. He entertained the hope that, large as the powers were that were to be conferred by the Bill, there would be some further powers in regard to Private Bill legislation. The issue of Provisional Orders was another matter. No doubt, when they handed over this power to the County Councils, care would be taken to see that they were in a position to carry it out. They had had a clear statement from the President of the Local Government Board that it was not the intention of the Government to delay the transfer of these powers, and, therefore, he considered that hon. Members opposite were unreasonable in objecting to the Amendment. He was sure that there was no intention on the part of the Government to restrict the powers of the County Councils. As to the evisceration of the Bill, if the right hon. Member for Derby (Sir William Harcourt) would look at the Amendments on the Paper, and the powers to be granted to the County Councils, he could have no fear that the Councils would not have ample work to do. It was not, however, desirable that all the work they would have to do should be put at once upon their shoulders.

MR. LAWSON (St. Pancras, W.) said, that after the two speeches which had been delivered by the President of the Local Government Board, they seemed really to have got at the bottom of the meaning of the Amendment of the right hon. Member for the Sleaford Division of Lincolnshire. It was simply a time-saving Amendment to shorten the debate on the Bill. The Government had done a good deal in that direction in throwing over extra weight, and from the ambiguous and unsatisfactory reply that had been given that afternoon by the First Lord of the Treasury, it was clear that it was at least possible that the London clauses of the Bill might follow the Licensing Clauses.

MR. RITCHIE said, that not a single word had fallen from the right hon. Gentleman who asked the question, or his right hon. Friend the First Lord of the Treasury, which could possibly justify the assertion which the hon. Member had made.

MR. LAWSON said, the silence of the right hon. Gentleman was just as significant as his speech. When the proposition was raised in the Committee, he protested against treating the County of London in the same way as other localities. He had heard nothing that day as to what was to be done for London. [*Cries of* "Order!" *and* "Question!"] He submitted that this was the Question. This clause conferred certain powers on the County Council for London, and it was impossible at a later period to insert in the Schedule the duties and liabilities of the County Council of London unless they were prepared to confer some powers upon other County Councils. He doubted very much whether the right hon. Gentleman had improved the

Bill by substituting a Provisional Order for an Order in Council. No doubt they would have all the influence of the permanent officials against them, who had been accustomed to use these powers, as all must admit, with great efficiency. It was unlikely that they would be willing to surrender them, and to ask popular Bodies to take over the powers they now possessed. He was, therefore, afraid that the process of devolution would be much slower than was contemplated, and the proposition now made might prove more insidious than the one which was contained in the Amendment as it stood. He was of opinion that the whole of the arguments they had heard that afternoon related to one part of the Schedule, and one part only. The hon. Member for North Somerset (Mr. Llewellyn) and the right hon. Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) had referred to the powers now exercised by the Board of Trade, and they maintained that it would be improper to call upon the County Councils, who would be without experience and knowledge, to exercise such powers. The three parts of the 1st Schedule defined the powers that were to be transferred now exercised by the Home Office, the Board of Trade, and the Local Government Board; and the right hon. Member for the Sleaford Division, in endeavouring to prevent the second part from appearing in the Schedule, showed what the governing idea in his mind was. Personally, he (Mr. Lawson) did not see why some compromise should not be arrived at in connection with this subject. Why should not the Government at once admit that it was the powers of the Board of Trade that were objected to, on the ground that they required expert knowledge and practice which did not apply to other Departments of the State? The whole of the objections, as a matter of fact, applied to one part of the Schedule, and to save time the Government were going to cut out the whole Schedule and to diminish the dignity of the County Councils, simply with the object of lightening the load the Government had to carry. The Government would be prepared to say that at the present time there was no opportunity to discuss the Schedule. He thought some arrangement might be made by which it might be agreed to except the powers now exercised by the Board of Trade, and to take a moderate amount of discussion on the Schedule as a whole, because on most points in regard to them they would all be agreed. He trusted that hon. Members on that side of the House would resist the Amendment as it stood.

MR. A. E. GATHORNE-HARDY (Sussex, East Grinstead) said, that as one who was present during the whole of the discussion the other day, he felt bound to express surprise at the course taken by the Front Opposition Bench. He was second to none in desiring that the powers given to the County Councils should be both large and important; but when he came into the House the other day to hear the discussion of the Amendment of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin), he did so with a perfectly open mind, and after the right hon. Gentleman had spoken, a very weighty speech was delivered by the hon. Baronet the Member for the Blackpool Division of Lancashire (Sir Matthew White Ridley). He thought it would have been greatly to the advantage of hon. Members to have heard that speech. They had had speeches from the right hon. Gentleman the Member for East Wolverhampton (Mr. Henry H. Fowler) and the right hon. Gentleman the Member for South Leeds (Sir Lyon Playfair), the last of whom spoke with great authority upon matters connected with the health of the community. Both of those right hon. Gentlemen supported the Amendment. The right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) waited to see whether any other hon. Members would address the House; and, finding that there was a universal consensus of opinion in favour of the Amendment, the right hon. Gentleman rose in his place and said that, as he did not wish to resist the universal opinion of the House, he would accept the Amendment, against which not one word had been spoken by any hon. Member. Under these circumstances, he protested against the use in that discussion of such phrases as "evisceration of the Bill" and "time-serving Amendments."

MR. LAWSON said, the phrase he used was "time-saving Amendments."

MR. A. E. GATHORNE-HARDY said, he felt bound to protest against

the imputation of motives which had been made in the course of the discussion. The phrases which had unfortunately been used, he ventured to think, had much more to do with the Licensing Clauses, which were in a state of suspended animation, than with the question before the House. Those phrases were intended, not as consumption in that House, but for consumption off the premises; they were intended to give the constituents the false idea that a measure which showed more trust in the people than had ever been evinced by any Government before was a sham. [*Cries of* "Hear, hear!"] He understood the meaning of that cheer. He had seen the same phrase used by the right hon. Gentleman the Member for Derby (Sir William Harcourt) when he gave the benefit of his assistance to the hon. Member for Stockport (Mr. Jennings) by addressing his constituents. He could only say that it was with the greatest surprise he had heard, on the last occasion, the Motion made to report Progress by the right hon. Gentleman the late Chief Secreatry for Ireland (Mr. John Morley), who had not been present during the whole of the discussion, and had heard very little of the comments of right hon. Gentlemen who sat on the same Benches themselves, but who, on the faith of representations of hon. Members who had casually dropped into the House, without having heard the discussion, moved to report Progress, and had thus occasioned a considerable waste of time.

VISCOUNT EBRINGTON (Devon, Tavistock) said, he sincerely hoped the Government would not accept the compromise suggested by the hon. Member for West St. Pancras (Mr. Lawson). Nothing could be more fallacious than the argument that delay was advisable, so that the County Councils might have time to furnish themselves with experts like those who now advised the Board of Trade in regard to Tramways and matters of that kind. It was said that the County Councils had not the experience they ought to have, and that, therefore, they ought not to be entrusted with these new powers; but they never would have experience and were not likely to take experts into their service until they had full powers given to them. He sincerely hoped that all the powers would be given together and would stand or fall together.

MR. RATHBONE (Carnarvonshire, Arfon) said, he thought that the House generally was pretty much agreed as to what they wanted to accomplish; but the difficulty was how they were to accomplish it. He believed that most of them were anxious that the new County Councils should have large powers transferred to them; but there were some of those powers which hon. Members sitting on both sides of the House believed that it would be imprudent to transfer at the present moment. The difficulty was how they were to accomplish the transference of powers without involving too great a waste of the time of the House. Let them look for a moment at the matters it was proposed to transfer. The powers of the Secretary of State contained in the first Schedule ought, no doubt, to be transferred at once. The second part proposed to transfer to the County Councils the powers, duties, and liabilities of the Board of Trade, and he thought there was a general agreement that it would not be wise, before the County Councils got settled down to their work, to confer those duties upon them. When they came to the third part it was more difficult to come to a decision. He referred to the transference of the powers, duties, and liabilities of the Local Government Board. He believed that a greater part of those duties should be transferred at once, but there was some part of them which it might be desirable to transfer somewhat later. He thought there was a great objection to the Amendment before the Committee which required these things to be done by Provisional Order. They always knew that Provisional Orders were very slow and difficult things to get through. What he would suggest to the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) was that he should agree to transfer the powers by Order in Council instead of by Provisional Order, and then the right hon. Gentleman should state to the Committee what were the powers which ought to be at once transferred by such Order in Council. By that means he (Mr. Rathbone) thought they would obtain the object they all desired to accomplish—that was to say, that all necessary

powers would be at once transferred to the County Councils, and they would be able to get into working order for the rest.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square) said, he desired to point out that it was the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) who had suggested a Provisional Order instead of an Order in Council. The hon. Member for West St. Pancras (Mr. Lawson) had suggested a compromise, and proposed that by way of giving the Council something to do they should have at once transferred to them the duties performed by the Home Office. Those duties were "power to represent to Her Majesty in Council that burials should be discontinued in any place of burial in the Metropolitan area; approval of new burial ground or cemetery in the Metropolitan area, or within two miles of it; powers to make report to Her Majesty in Council for the discontinuance of burial in any place of burial; approval of new burial ground; power to order the abolition of a fair, and power to order an alteration of the day for holding a fair and the duration of a fair." Those were the powers of the Home Secretary which the hon. Member for West St. Pancras was kindly willing to say might be transferred to the County Councils.

MR. LAWSON said, he had also pointed out that the powers of the Local Government Board might be transferred at once.

MR. GOSCHEN said, if it was proposed that the whole of those powers should at once be transferred to the County Councils, he was afraid that it would lead to a long discussion, considering that a good many of them were of an extremely controversial character. The hon. Member seemed to think that the London Council would not have enough to do when it was proposed to transfer to it the whole of the powers of the Metropolitan Board of Works. He (Mr. Goschen) thought that would start the London Council with a fair amount of business. In point of fact it would devolve upon them a somewhat herculean task. It would be better to have the powers for which they were adapted given to the Councils, than to have their minds disturbed by a mass of business with which they would not be able to deal. His views were well known on this subject. He was strongly in favour of decentralization. The whole object of the Government was to decentralize as soon as they could, and he could assure the hon. Member that when he occupied the position of Chairman of the New County Council to which he might aspire, he would have plenty of business to attend to and ample scope for his talents. They were all unanimous, he trusted, on this point, that ample powers should be given to the County Councils, and the only difference was as to the lines upon which they should proceed. He was not going to repeat the speech made by the right hon. Gentleman opposite as to why these powers should not be included in the Bill at the present moment. What he was dealing with now was the argument that in leaving out certain powers for the present the Government were influenced by some sinister design. The case would have to be considered by a Select Committee, and, of course, the Government would resist any endeavour on the part of the Department to retain powers in their hands which it was desirable to hand over to the County Council.

MR. LAWSON said, that with respect to the remarks which had fallen from the right hon. Gentleman the Chancellor of the Exchequer, it was quite true that the London County Council were to have all the powers which were now exercised by the Metropolitan Board of Works, but he did not understand that the Government wanted another Metropolitan Board of Works, nor did the public want one. He understood that they wanted a different class of men altogether. He looked forward to the London Council having very different powers, and to a time when it might hope to secure the services of men of position and ability, with such a man as the right hon. Gentleman himself at their head. If they believed in all they had said about the necessity of decentralization, they should give their words effect.

MR. ARTHUR WILLIAMS (Glamorgan, S.) asked, why the clause and the powers to which it related had been deliberately put into the measure? What was the object? He thought that a great deal of time, a great deal of trouble, a

good deal of friction, and a certain amount of misunderstanding would have been avoided if the Committee had thoroughly realized what powers were proposed to be granted to the County Councils. He would ask the Committee to consider what those powers really were. He represented a county constituency, and he would ask what powers were proposed to be transferred, after the remarkable admission which had been made by the right hon. Gentleman the Chancellor of the Exchequer. The right hon. Gentleman pointed out that the powers now exercised by the Home Secretary were very trumpery powers indeed. What were they? They would give the County Councils power to alter the day on which a fair was to be held without warrant, and without the necessity of going to the Home Office in order to obtain permission. They also gave the County Councils certain small licensing powers. Then came the second part of the Schedule, which related to the powers now exercised by the Board of Trade, and that was the part to which he wished most strongly, in the interests of the new governing Bodies, to direct the attention of the Committee. They had been told, over and over again, that the Government and the Conservative Party were most anxious to grant large powers to the County Councils, but he would venture, without hesitation, to say that the powers to be granted under the 8th clause and the second and third parts of the Schedules were, so far from being too large, nothing like the powers that a democratic Body like the County Councils would immediately insist upon having. He would invite the attention of the Committee to what those powers were. What was the first? The County Councils were to have the powers of the Board of Trade, with certain exceptions, under the General Pier and Harbours Act. Surely the Committee ought to have been told, before proceeding with the discussion, whether it was really intended to withdraw the concession of those powers. At the present moment, when a Local Authority wanted to have a pier or harbour made, it was necessary to go to the Local Government Board or to the Board of Trade.

MR. STAVELEY HILL (Staffordshire, Kingswinford) rose in his place and claimed to move "That the Question be now put."

THE CHAIRMAN declined to put the Question.

MR. ARTHUR WILLIAMS said, he was not in the habit of trespassing upon the patience of the House. He was only claiming for the County Council of his own county that the powers to be given should be given to them directly, and he wished to show that those powers, so far from involving great responsibility, involved scarcely any responsibility whatever. If a Local Authority wanted to make a pier or harbour, what would be the change introduced if they passed this Schedule? They would simply make it necessary that the Local Authority, or the promoters, as they were called, should go the County Council, instead of being required to come up to London, in order to lay their case before the Representatives of the people. Was that an unreasonable change to make in creating a great governing Body of this sort? It certainly did not amount to very much, for the County Council would only allow the application to be made. There were a number of serious restrictions imposed by Statute. For instance, it was necessary that notice should be given, and all the formalities of a Provisional Order gone through, and then the application would have to be submitted to the County Council. The powers under which a Provisional Order was to be given were expressly provided in all of the Acts—such as the General Pier and Harbour Act, the Tramway Act, and the Electric Lighting Act. The Local Authority would not be able to buy a foot of land without having practically to go to London. It was perfectly idle to tell him that these powers were too large to be confided to the discretion of the County Council, seeing that they were subjected to the provisions of an Act of Parliament, because a Provisional Order must always be assented to by Parliament. The Committee ought not to deceive themselves by supposing that the people were going to be satisfied with the process of issuing Provisional Orders when public works were required to be done, or that they would be content to come to Parliament for its assent. The powers they required were very much larger than those, and he would seriously ask the Committee to consider—especially those on the other

side of the House, who had drafted these clauses—why on earth they should stultify the Bill by introducing certain provisions into it, unless they intended to stand by them. The Government said, "We have drawn up these Schedules and we consider that these powers are necessary powers." Then, why delay their insertion in the Bill? The Bill and the machinery would be ready next year. There were powers exercised by the Local Government Board in reference to baths and washhouses. At present those provisions applied to the whole country, but they could not be applied to a single parish except upon an application made to the Local Government Board. By the second part of the Schedule, instead of its being necessary to apply to the Local Government Board, the application would in future be made to the County Council. That was a very small power indeed, and if the Committee would take the trouble, as he had done, to go through every one of these Acts, they would find that it was only similar trumpery powers which were to be transferred. He, therefore, trusted that the Committee would at once proceed to invest the Local Authorities with the powers contained in the Schedule.

MR. CHAPLIN said, that this debate would be a lesson to him in the future as to how he accepted an Amendment, or an alteration to an Amendment, on the invitation of right hon. Gentlemen opposite. Complaint had been made of the substitution of a Provisional Order for an Order in Council. That alteration had been accepted on the direct invitation of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld). For his (Mr. Chaplin's) own part he greatly preferred his own Amendment; but, for the sake of making progress with the Bill, he had accepted the suggestion of the right hon. Gentleman. He thought that it was somewhat hard and unreasonable to complain of the Government for the course they had followed. The right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) had expressed his opinion on the previous night that half-an-hour's discussion would finish the question; as they had now been discussing it for two hours and a-half he claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee *divided:*—Ayes 298; Noes 216: Majority 82.—(Div. List, No. 174.)

Question put accordingly, "That the words 'it shall be lawful for the Local Government Board to make from time to time a Provisional Order for transferring' be there inserted."

The Committee *divided:*—Ayes 306; Noes 224: Majority 82.

AYES.

Addison, J. E. W.
Agg-Gardner, J. T.
Ainslie, W. G.
Allsopp, hon. G.
Allsopp, hon. P.
Ambrose, W.
Amherst, W. A. T.
Anstruther, Colonel R. H. L.
Anstruther, H. T.
Ashmead-Bartlett, E.
Bailey, Sir J. R.
Baird, J. G. A.
Balfour, rt. hon. A. J.
Baring, T. C.
Barnes, A.
Barry, A. H. S.
Bartley, G. C. T.
Barttelot, Sir W. B.
Bates, Sir E.
Baumann, A. A.
Bazley-White, J.
Beach, right hon. Sir M. E. Hicks-
Beach, W. W. B.
Beadel, W. J.
Beaumont, H. F.
Beckett, E. W.
Beckett, W.
Bentinck, rt. hn. G. C.
Bentinck, Lord H. C.
Bentinck, W. G. C.
Beresford, Lord C. W. De la Poer
Bethell, Commander G. R.
Bickford-Smith, W.
Birkbeck, Sir E.
Blundell, Col. H. B. H.
Bonsor, H. C. O.
Boord, T. W.
Borthwick, Sir A.
Bridgeman, Col. hon. F. C.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brown, A. H.
Bruce, Lord H.
Burdett-Coutts, W. L. Ash.-B.
Caine, W. S.
Caldwell, J.
Campbell, Sir A.
Campbell, J. A.
Carmarthen, Marq. of
Chamberlain, rt. hn. J.
Chamberlain, R.
Charrington, S.
Clarke, Sir E. G.
Coddington, W.
Coghill, D. H.
Colomb, Sir J. C. R.
Compton, F.
Cooke, C. W. R.
Corbett, A. C.
Corbett, J.
Corry, Sir J. P.
Cotton, Capt. E. T. D.
Cranborne, Viscount
Cross, H. S.
Crossley, Sir S. B.
Crossman, Gen. Sir W.
Cubitt, right hon. G.
Curzon, Viscount
Curzon, hon. G. N.
Dalrymple, Sir C.
Darling, C. J.
Davenport, H. T.
Dawnay, Colonel hon. L. P.
De Cobain, E. S. W.
De Lisle, E. J. L. M. P.
De Worms, Baron H.
Dimsdale, Baron R.
Dixon, G.
Dixon-Hartland, F. D.
Dorington, Sir J. E.
Douglas, A. Akers-
Dugdale, J. S.
Duncan, Colonel F.
Duncombe, A.
Dyke, right hon. Sir W. H.
Ebrington, Viscount
Edwards-Moss, T. C.
Egerton, hon. A. J. F.
Egerton, hon. A. de T.
Elcho, Lord
Elliot, Sir G.
Elliot, hon. A. R. D.
Elliot, hon. H. F. H.
Elliot, G. W.
Elton, C. I.
Ewart, Sir W.
Ewing, Sir A. O.
Farquharson, H. R.
Feilden, Lt.-Gen. R. J.

Fellowes, A. E
Fergusson, right hon. Sir J.
Field, Admiral E.
Fielden, T.
Finch, G. H.
Finlay, R. B.
Fitz-Wygram, Gen. Sir F. W.
Folkestone, right hon. Viscount
Forwood, A. B.
Fowler, Sir R. N.
Fry, L.
Gathorne-Hardy, hon. A. E.
Gent-Davis, R.
Giles, A.
Gilliat, J. S.
Godson, A. F.
Goldsmid, Sir J.
Goldsworthy, Major-General W. T.
Gorst, Sir J. E.
Goschen, rt. hn. G. J.
Granby, Marquess of
Gray, C. W.
Green, Sir E.
Greenall, Sir G.
Greene, E.
Grimston, Viscount
Grotrian, F. B.
Gunter, Colonel R.
Gurdon, R. T.
Hall, C.
Halsey, T. F.
Hambro, Col. C. J. T.
Hamilton, right hon. Lord G. F.
Hamilton, Col. C. E.
Hamley, Gen. Sir E. B.
Hanbury, R. W.
Hankey, F. A.
Hardcastle, F.
Hartington, Marq. of
Heath, A. R.
Heathcote, Capt. J. H. Edwards-
Heaton, J. H.
Heneage, right hon. E.
Herbert, hon. S.
Hermon-Hodge, R. T.
Hervey, Lord F.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hill, A. S.
Hoare, E. B.
Hobhouse, H.
Holloway, G.
Hornby, W. H.
Houldsworth, Sir W. H.
Howard, J.
Howorth, H. H.
Hozier, J. H. C.
Hubbard, hon. E.
Hughes, Colonel E.
Hughes-Hallett, Col. F. C.
Hulse, E. H.
Hunt, F. S.
Hunter, Sir W. G.
Isaacs, L. H.
Jackson, W. L.
James, rt. hon. Sir H.
Jeffreys, A. F.
Jennings, L. J.
Johnston, W.
Kelly, J. R.
Kennaway, Sir J. H.
Kenrick, W.
Kenyon, hon. G. T.
Kenyon-Slaney, Col. W.
Kerans, F. H.
Kimber, H.
King, H. S.
Knatchbull-Hugessen, H. T.
Knightley, Sir R.
Knowles, L.
Kynoch, G.
Lafone, A.
Lambert, C.
Laurie, Colonel R. P.
Lawrance, J. C.
Lawrence, W. F.
Lea, T.
Lees, E.
Legh, T. W.
Leighton, S.
Lennox, Lord W. C. Gordon-
Lewis, Sir C. E.
Lewisham, right hon. Viscount
Long, W. H.
Lowther, hon. W.
Lowther, J. W.
Lubbock, Sir J.
Macartney, W. G. E.
Macdonald, right hon. J. H. A.
Mackintosh, C. F.
Maclean, F. W.
Maclean, J. M.
Maclure, J. W.
M'Calmont, Captain J.
Madden, D. H.
Makins, Colonel W. T.
Malcolm, Col. J. W.
Mallock, R.
Maple, J. B.
Marriott, right hon. Sir W. T.
Maskelyne, M. H. N. Story-
Matthews, right hon. H.
Mattinson, M. W.
Maxwell, Sir H. E.
Mildmay, F. B.
Mills, hon. C. W.
Milvain, T.
More, R. J.
Morgan, hon. F.
Moss, R.
Mount, W. G.
Mowbray, right hon. Sir J. R.
Mowbray, R. G. C.
Mulholland, H. L.
Muncaster, Lord
Muntz, P. A.
Murdoch, C. T.
Newark, Viscount
Noble, W.
Norris, E. S.
Northcote, hon. Sir H. S.
Norton, R.
O'Neill, hon. R. T.
Paget, Sir R. H.
Parker, hon. F.
Pearce, Sir W.
Pelly, Sir L.
Penton, Captain F. T.
Plunket, right hon. D. R.
Plunkett, hon. J. W.
Powell, F. S.
Price, Captain G. E.
Puleston, Sir J. H.
Quilter, W. C.
Raikes, rt. hon. H. C.
Rankin, J.
Rasch, Major F. C.
Reed, H. B.
Richardson, T.
Ridley, Sir M. W.
Ritchie, right hon. C. T.
Robertson, Sir W. T.
Robertson, J. P. B.
Robinson, B.
Ross, A. H.
Rothschild, Baron F. J. de
Round, J.
Russell, Sir G.
Russell, T. W.
Saunderson, Col. E. J.
Selwyn, Captain C. W.
Seton-Karr, H.
Shaw-Stewart, M. H.
Sidebotham, J. W.
Sidebottom, T. H.
Sidebottom, W.
Sinclair, W. P.
Smith, rt. hon. W. H.
Smith, A.
Spencer, J. E.
Stanhope, rt. hon. E.
Stanley, E. J.
Stephens, H. C.
Stewart, M. J.
Sutherland, T.
Swetenham, E.
Sykes, C.
Talbot, J. G.
Tapling, T. K.
Taylor, F.
Temple, Sir R.
Theobald, J.
Thorburn, W.
Tollemache, H. J.
Tomlinson, W. E. M
Townsend, F.
Trotter, Col. H. J.
Tyler, Sir H. W.
Walrond, Col. W. H.
Walsh, hon. A. H. J.
Watkin, Sir E. W.
Webster, Sir R. E.
Webster, R. G.
West, Colonel W. C.
Weymouth, Viscount
Wharton, J. L.
Whitley, E.
Whitmore, C. A
Wilson, Sir S.
Winn, hon. R.
Wodehouse, E. R.
Wolmer, Viscount
Wood, N.
Wortley, C. B. Stuart-
Wright, H. S.
Wroughton, P.
Yerburgh, R. A.

TELLERS.

Chaplin, right hon. H.
Llewellyn, E. H.

NOES.

Abraham, W. (Glam.)
Abraham, W. (Limerick, W.)
Acland, A. H. D.
Acland, C. T. D.
Allison, R. A.
Anderson, C. H.
Asher, A.
Asquith, H. H.
Atherley-Jones, L.
Austin, J.
Balfour, Sir G.
Balfour, rt. hon. J. B.
Ballantine, W. H. W.
Barbour, W. B.
Barran, J.
Biggar, J. G.
Bradlaugh, C.
Bright, Jacob
Broadhurst, H.
Brown, A. L.
Bruce, hon. R. P.
Brunner, J. T.
Bryce, J.
Buchanan, T. R.
Burt, T.
Byrne, G. M.
Cameron, C.
Cameron, J. M.
Campbell, Sir G.
Campbell-Bannerman, right hon. H.
Carew, J. L.
Causton, R. K.
Chance, P. A.
Channing, F. A.
Childers, rt. hon. H. C. E.
Clancy, J. J.
Cobb, H. P.
Coleridge, hon. B.
Commins, A.
Conway, M.
Conybeare, C. A. V.
Corbet, W. J.
Cossham, H.
Cox, J. R.
Cozens-Hardy, H. H.
Craig, J.
Craven, J.
Crawford, D.
Cremer, W. R.

[*Ninth Night.*]

Crilly, D.
Crossley, E.
Davies, W.
Deasy, J.
Dickson, T. A.
Dillwyn, L. L.
Dodds, J.
Duff, R. W.
Ellis, J.
Ellis, T. E.
Esmonde, Sir T. H. G.
Esslemont, P.
Evans, F. H.
Evershed, S.
Fenwick, C.
Ferguson, R. C. Munro-
Finucane, J.
Firth, J. F. B.
Flower, C.
Flynn, J. C.
Foljambe, C. G. S.
Forster, Sir C.
Foster, Sir W. B.
Fox, Dr. J. F.
Fry, T.
Fuller, G. P.
Gardner, H.
Gaskell, C. G. Milnes-
Gilhooly, J.
Gill, T. P.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gourley, E. T.
Grey, Sir E.
Grove, Sir T. F.
Hanbury-Tracy, hon. F. S. A.
Harcourt, rt. hon. Sir W. G. V. V.
Harrington, E.
Harrington, T. C.
Harris, M.
Hayden, L. P.
Hayne, C. Seale-
Healy, M.
Healy, T. M.
Holden, I.
Hooper, J.
Howell, G.
Hoyle, I.
Hunter, W. A.
Illingworth, A.
Jacoby, J. A.
James, hon. W. H.
Joicey, J.
Jordan, J.
Kay-Shuttleworth, rt. hon. Sir U. J.
Kenny, C. S.
Kenny, M. J.
Kilbride, D.
Labouchere, H.
Lalor, R.
Lane, W. J.
Lawson, Sir W.
Lawson, H. L. W.
Leahy, J.
Leake, R.
Lyell, L.
Macdonald, W. A.
MacInnes, M.
Mac Neill, J. G. S.
M'Arthur, W. A.
M'Carthy, J
M'Carthy, J. H.
M'Donald, P.
M'Ewan, W.
M'Lagan, P.
Mahony, P
Maitland, W. F.
Mappin, Sir F. T.
Marum, E. M.
Mayne, T.
Menzies, R. S.
Molloy, B. C.
Morgan, right hon. G. O.
Morgan, O. V.
Morley, rt. hon. J.
Mundella, right hon. A. J.
Murphy, W. M.
Neville, R.
Nolan, Colonel J. P.
O'Brien, J. F. X.
O'Brien, P. J.
O'Brien, W.
O'Connor, A.
O'Connor, J.
O'Connor, T. P.
O'Hanlon, T.
O'Hea, P.
Palmer, Sir C. M.
Parnell, C. S.
Paulton, J. M.
Pease, A. E.
Pease, H. F.
Pickard, B.
Pickersgill, E. H.
Pinkerton, J.
Plowden, Sir W. C.
Portman, hon. E. B.
Potter, T. B.
Powell, W. R. H.
Power, P. J.
Power, R.
Price, T. P.
Priestley, B.
Pugh, D.
Pyne, J. D.
Quinn, T.
Randell, D.
Rathbone, W.
Redmond, W. H. K.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Reynolds, W. J.
Richard, H.
Roberts, J.
Roberts, J. B.
Robertson, E.
Robinson, T.
Roe, T.
Roscoe, Sir H. E.
Rowlands, W. B.
Rowntree, J.
Samuelson, Sir B.
Samuelson, G. B.
Schwann, C. E.
Sexton, T.
Shaw, T.
Sheehan, J. D.
Sheehy, D.
Sheil, E.
Simon, Sir J.
Sinclair, J.
Slagg, J.
Smith, S.
Spencer, hon. C. R.
Stack, J.
Stevenson, F. S.
Stevenson, J. C.
Stuart, J.
Sullivan, D.
Sullivan, T. D.
Summers, W.
Sutherland, A.
Swinburne, Sir J.
Talbot, C. R. M.
Tanner, C. K.
Thomas, A.
Thomas, D. A.
Trevelyan, right hon. Sir G. O.
Tuite, J.
Vivian, Sir H. H.
Wardle, H.
Warmington, C. M.
Wayman, T.
Whitbread, S.
Will, J. S.
Williams, A. J.
Williamson, J.
Williamson, S.
Wilson, C. H.
Wilson, I.
Winterbotham, A. B.
Woodall, W.
Woodhead, J.
Wright, C.

TELLERS.
Marjoribanks, rt. hon. E.
Morley, A.

Amendment proposed, in page 5, line 24, leave out the second "the" and insert "such."—(*Mr. Chaplin.*)

Question proposed, "That the word 'the' stand part of the Clause."

SIR WILLIAM HARCOURT said, he ventured to suggest to the right hon. Gentleman in charge of the Bill that it would be a shorter way to reach the object they had in view to strike out Clause 8. He saw no reason why the Committee should waste so much time on a number of verbal Amendments. The brains were out of the Bill, and it was said that, "when the brains were out the man must die."

MR. RITCHIE said, the right hon. Gentleman was evidently unfamiliar with Parliamentary procedure, or he would know that if the clause were struck out it would not be in the power of the Government to transfer by Provisional Order at all. He had undertaken that they would proceed next Session to transfer these powers by Provisional Order.

SIR WILLIAM HARCOURT said, the right hon. Gentleman had been good enough to instruct him by means of his longer experience. He did not think it necessary to dispute the right hon. Gentleman's proposition, and would humbly bow to it. At the same time, the right hon. Gentleman would allow him to say that if all this work was to be done next Session, it might be better to discard the form of a Provisional Order, and introduce "A Bill to provide the County Councils with something to do."

MR. CHAPLIN said, he ventured to propose that, instead of listening to any more of the frothy sentiments of the

right hon. Gentleman the Member for Derby, they should proceed, if possible, in a business-like manner with the Amendments on the Paper, and in that way make progress with the Bill. The right hon. Gentleman was always complaining of the evisceration of the Bill by hon. Gentlemen on that side of the House; but he hoped it would be observed by those outside the House that the real and practical evisceration of the measure, by the omission of Clause 8, came from the right hon. Gentleman himself. The Amendment he (Mr. Chaplin) had moved was simply consequential, and, therefore, it was not necessary to dwell upon it. In conjunction with the Amendments which followed, it was intended to carry out the decision at which the Committee had arrived after considerable discussion—namely, to transfer the powers under this clause by Provisional Order instead of by Statute.

Question put, and *negatived.*

Amendment *agreed to.*

Amendment proposed, in page 5, line 25, leave out from "of" to "other," in line 41.—(*Mr. Chaplin.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

SIR GEORGE CAMPBELL said, the right hon. Gentleman had stated that if the Bill were eviscerated at all it would be by adopting the suggestion of the right hon. Gentleman the Member for Derby, that Clause 8 should be struck out. He would point out, however, that the adoption of the Amendment just moved would make the clause a shadow and a sham.

MR. CHANNING (Northampton, E.) said, he quite agreed with the right hon. Gentleman the Member for the Sleaford Division (Mr. Chaplin) that the Committee ought to discuss these Amendments in a business-like way, and make progress with the Bill; but he thought that far greater progress would be made if the Government did not change their mind every five minutes on the Bill. A suggestion had been made with regard to the time when the powers under the Bill should be transferred, and the right hon. Gentleman the Chancellor of the Exchequor had spoken of a reference to a Select Committee. Were the Committee to understand that a Select Committee was to be appointed at once to go into the question, so that the country might know what powers the Government were going to bring in legislation to transfer to the County Councils? Or were they to understand that the Government proposed that a Select Committee should be appointed at the beginning of next Session to consider what powers should be handed over to the County Council, that the Committee would sit all through the Session, and at the end of the Session make a Report, and then that in the Session following, if the present Government were then still in existence, some proposal might be laid before the House? He ventured to say that the Business of the House would be facilitated if the Government stated definitely what they intended.

MR. RITCHIE said, his right hon. Friend the Chancellor of the Exchequer had said nothing about a Select Committee. But the ordinary course with reference to a Provisional Order Bill was that it should be read a second time, and if there was any opposition to the proposals in the Bill, it would be referred to a Select Committee in the ordinary course. What the Government hoped and believed was that in all probability the Committee stage of such a Bill as was contemplated would be an extremely short one; probably it would not exceed a week in duration.

MR. CHANNING asked whether they were, then, to understand that no answer was to be given to the argument of the right hon. Gentleman the Member for Derby?

Question put, and *agreed to.*

MR. MUNDELLA (Sheffield, Brightside) said, the right hon. Gentleman the President of the Local Government Board had stated that the administration of the Poor Law should not be transferred to the County Councils, and he had also said that he had no intention of transferring the powers of the London School Board to the County Council for London. It was not difficult to understand why the Government did not propose to transfer those powers; because the County Council for London, if it had, in addition to the business of the Metropolitan Board of Works and Quarter Sessions, to conduct that of the London School

Board, would be completely overloaded. But the effect of the Amendment which he was about to move would not apply merely to the Metropolis; it would apply to the whole of the school boards of the country. It would be possible if the Bill were to come into operation in its present form, to lay upon the Table of the House for 30 days a scheme for the transfer of the whole of the school board administration throughout the country to the County Councils, which after that time, without any expression of opinion on the part of those interested in the school boards, would take place. He would like to give some reasons why he thought it impossible, at the present juncture, so to transfer the work of the school boards. There were in England and Wales more than 2,000 school boards, which had educational control in respect of 17,000,000 of the population; they were in the administration of funds amounting to £5,000,000 a-year, and they had, on the whole, done their work with great advantage and to the entire satisfaction of the country. They had increased the school attendance since they came into existence by more than 250 per cent; they had raised the standard of education in all the schools of the country, including the voluntary schools, which had been benefited thereby.

MR. RITCHE said, he might save the right hon. Gentleman some trouble by saying that the Government were willing to accept words to exclude the school boards. The Government had never intended to transfer to the Councils the powers of the school boards, which had been set up by Act of Parliament.

MR. MUNDELLA, asked what where the powers of the Educational Department which the right hon. Gentleman proposed to transfer to the County Councils?

MR. RITCHE said, the Government were desirous of making the clause as comprehensive as possible, and they thought it simpler to put in the words "Education Department," because there might be some smaller matters that it would be useful to include.

MR. MUNDELLA said, that the revision of the schemes of the Charity Commissioners relating to Endowed Schools was work which would be taken out of the hands of the Education Department, and given to the County Councils. He begged to move the omission of the words.

Amendment proposed, in page 6, line 2, to leave out the words "or the Education Department."—(*Mr. Mundella.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. CHAMBERLAIN (Birmingham, W.) said he could not conceive anything which it would be more desirable to entrust to the County Councils than the duties connected with local charitable schemes. The whole object of the Party to which his right hon. Friend (Mr. Mundella) belonged had been for some time past to secure some local control over the Charities, and yet they had the right hon. Gentleman getting up and disclaiming against the provision of the Bill which might by possibitity give much power.

MR. MUNDELLA said, he had no objection to the Councils having some control over secondary education, but he thought some power ought to be left to the Education Department.

SIR WILLIAM HARCOURT said, he entirely agreed with what his right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain) had said. It was of the highest importance that powers like those referred to should be transferred to the County Councils. He could only understand the view taken by his right hon. Friend the Member for the Brightside Division of Sheffield (Mr. Mundella) from the fact that the right hon. Gentleman's own able administration of the Education Department had convinced him of the infallibility and perfection of that particular Department. Now, that was a great danger they had got to guard against—the belief in the Departments that nobody could do anything but them. If they really wanted to decentralize, they must resist that opinion. What he was afraid of was the pressure of the Departments, and that was why he wanted Parliament to take the matter into its own hands. In respect to all these Provisional Orders, they had the Departments fighting for every scrap of power they could get. That was really the decentralizing clause in the Bill, and if they wanted to make it effective, they ought to extend

the powers as far as they could. They always found an enemy in a Department. He had been in Departments, and therefore he knew what the feelings existing there were; they would regard it as a point of honour to resist anything being taken away from them which they could possibly retain. He would point out to his right hon. Friend (Mr. Mundella) that, if his Amendment were accepted, they could not transfer any powers, because they would not have the authority under the Bill. After what had been passed in reference to Provisional Orders, they would be perfectly safe; the House would have control over what it transferred, and if any power was to be transferred improperly or which ought to be reserved, they could upon the Provisional Order discuss the transfer; but if they adopted, the right hon. Gentleman's Amendment they could not transfer anything, however desirable. The right hon. Gentleman admitted that there were some powers which might very well be transferred, but they could not be so transferred under the Amendment. He (Sir William Harcourt) hoped that these words would be left in the clause; because if so, the Government would have discretion and the House would have the power to deal with the different matters.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he was glad he was able on that occasion to concur most heartily and entirely with everything which had fallen from the right hon. Gentleman the Member for Derby (Sir William Harcourt), with, perhaps, a slight reservation. He did not think that the Heads of Departments deserved the censure implied in the right hon. Gentleman's observations. No doubt, they were exceedingly able and exceedingly well-informed public servants, and it was very natural that they should from time to time desire that the work in which they were interested should be conducted in the best possible manner. But there was a public interest involved in this question which the House ought to consider, and that was the great necessity of decentralization. The Public Departments were overwhelmed by caring for matters which ought to be cared for by the people themselves. It might happen that, under the new system, the work might not be done in all respects so perfectly as, he believed, it was done in the Public Departments; but there would be great gain to the public interest in this work being done locally, and in accordance with the local feelings and sentiments of the people. Under those circumstances, he hoped the right hon. Gentleman (Mr. Mundella) would not press his Amendment. He was obliged to refer to one observation which had been made in the course of the discussion. He thought it was extremely inconvenient to refer to past debates in that House. He possibly did give, on behalf of the Government, an undertaking to endeavour to accomplish certain purposes and objects; but he would prefer that the question of what interpretation was to be put upon his words should be deferred until his observations appeared in print. Certainly, he did not think that it was advisable at the present time to engage in a conversation upon the subject with the right hon. Gentleman across the Table of the House. He trusted the Committee would allow the words proposed to be left out to remain in the Bill, as he personally attached great importance to them.

MR. MUNDELLA said, that all he had asked the right hon. Gentleman was that he would fulfil the pledge he gave to the House in the debate they had a few weeks ago on secondary education. He, however, wished to make no further reference to that, because certainly they would hold the right hon. Gentleman to his engagement. As the powers were to be transferred by Provisional Order, and as it would be possible to deal with every case as it arose, he was quite willing to withdraw his Amendment upon the distinct understanding that no elective Bodies, school boards or others, would be in any way influenced by the Bill.

MR. RITCHIE said, he thought it was well to remind the right hon. Gentleman that the Government proposed to accept the words suggested by the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) with reference to school boards and Boards of Guardians.

MR. ILLINGWORTH (Bradford, W.) said, the assurance given by the right hon. Gentleman that there was to be no interference with the school board

system was very good as far as it went; but, unfortunately, in 10,000 out of 13,000 parishes in the country, there was no such body as a school board, and yet there was an educational system in which they were all interested. He would like the right hon. Gentleman to give them some further assurance—namely, that in no provision of the Bill would there be any power conferred upon the new Bodies to give any local grants out of local funds, or to give any support in any shape or form to what were called the denominational schools of the country.

THE CHAIRMAN: That is quite outside the scope of the Amendment.

MR. ILLINGWORTH: But it is cognate to the point raised by the right hon. Gentleman.

THE CHAIRMAN: But I stopped the right hon. Gentleman.

MR. CHANNING (Northampton, E.) said, that he had an Amendment lower down on the Paper dealing with this subject; and perhaps this would be a convenient opportunity for the right hon. Gentleman to make his undertaking a little more definite. He agreed largely in the remarks made with regard to the transfer of many duties of the Education Department to the new County Councils. As to the transfer of the powers relating to industrial schools, and to the development of agricultural and technical education, he had not a word to say. The point that he specially wished to secure, was that the school boards should not be included in the Clause. But there was a second point in his Amendment to which the right hon. Gentleman had not referred. That point had reference to the Governing Bodies of endowed schools which had an elective element. He did not know whether it would be out of Order to ask, as an undertaking in regard to that special point, that the local centres——

THE CHAIRMAN: The hon. Gentleman is clearly out of Order.

Amendment, by leave, *withdrawn.*

MR. T. E. ELLIS (Merionethshire) said, he begged to move to insert, after the words "Education Department," "Woods, Forests, and Land Revenue Commissioners." There was no public Body which required greater re-organization than that of the Woods and Forests Commissioners. There was no Body which could so well give up some of its duties, such as the control and improvement of waste land, to the Local Authorities as could that Body. The right hon. Gentleman the President of the Local Government Board might reply that that Body was included in the words "or any other Government Department," but he, (Mr. T. E. Ellis) desired the insertion of these words, to show the urgent necessity of the powers vested in this Body being transferred to the County Councils.

Amendment proposed, in page 6, line 2, after the words "Education Department," to insert the words, "Woods, Forests, and Land Revenue Commissioners."—(*Mr. T. E. Ellis.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, that the proposal of the hon. Gentleman stood on an entirely different footing to anything which had been suggested or was contained in the Bill. The hon. Gentleman was no doubt aware that the Body to which he alluded was the Body which had the management of Crown property, and, therefore, it was clear it would not be within the scope of the Bill to transfer to the management of local elective Bodies the powers vested in the Woods, Forests, and Land Revenue Commissioners for dealing with Crown property. He was afraid it would be impossible for the Government to accept this Amendment.

MR. RATHBONE said, he was sorry to hear the declaration of the right hon. Gentleman, because, in his opinion, there was no administrative Department in the State which was more grossly obstructive to the interests of the public than the Department of the Woods and Forests. He was quite satisfied that the present Leader of the House (Mr. W. H. Smith) would bear him out that there was no Department in the State which ought to be brought more under the control of some elective Body than the Department of Woods and Forests.

SIR WILLIAM HARCOURT said, he must support the right hon. Gentleman the President of the Local Government Board in his opposition to this Amendment. If the Amendment meant anything, it meant that the management of Crown property should be transferred to County Councils. [*Cries*

of "No, no!"] He did not know what else it could mean but that. Though he was not qualified to say that the Woods and Forests was by any means a faultless Department, and might not require reform, that was not the way in which to bring about an amendment. What happened with reference to the Woods and Forests was this. Before the Woods and Forests were made a separate Department, the whole of the Crown property was practically wasted, owing to the fact that it was administered by a Minister under the control of Parliament, who insisted in one way or another in making away with the funds it yielded. The Crown lands now yielded something like £350,000 a-year, the revenue had largely increased under the management of the Commissioners of Woods and Forests, and that was a reason for not doing away with the Department, still less for giving them as a gift to Authorities who, he was afraid, might be quite as bad as the original management.

MR. CHAPLIN suggested to the hon. Gentleman the Member for Merionethshire (Mr. T. E. Ellis) that instead of putting the Woods and Forests under the County Councils, it would be better to put them under the new Agricultural Department, of which they had heard a good deal lately, but which did not seem to be very much nearer being established.

MR. T. E. ELLIS said, he could not assent to the proposal of the right hon. Gentleman, because he had not any great faith in the Agricultural Department. He would like to point out, in answer to the right hon. Gentleman the Member for Derby (Sir William Harcourt), that if reforms had been already effected in the management of Crown lands, there was no reason why they should not carry the process of reform a little further. There was no doubt that much of the old maladministration remained, and that the revenue from the Crown lands could be much increased. He ventured to say that in regard to thousands and hundreds of thousands of acres of Crown lands in various parts of the country, especially in Wales, the revenue could be doubled and trebled, and quadrupled, if they were managed with anything like intelligence and local knowledge. Crown property was, after all, only national, and the people's property. He was certain that, with regard to allotments of land for building in industrial districts in Wales, an immense amount of good could be done by conferring control of this property on a representative popular Body. Although he had very much respect for the opinions usually put forward by the right hon. Gentleman the Member for Derby (Sir William Harcourt), he felt bound to press this Amendment to a Division.

MR. W. H. SMITH said, he had only one word to say, and that was, that if the hon. Gentleman had any information which would result in anything additional being secured by way of revenue to the country from the Crown property, he trusted the hon. Gentleman would put himself at once in communication with the Government. The Government were bound to protect the revenue, and he did not think the hon. Gentleman had made any suggestion which would afford security in that direction.

MR. ASQUITH (Fife, E.) said, he could not help suggesting a point that he thought was raised by the discussion, and that was, what was the meaning of the words in the Bill "or any other Government Department." His hon. Friend (Mr. T. E. Ellis) moved to insert the words "Woods, Forests, and Land Revenue Commissioners;" he (Mr. Asquith) would like to ask one of the right hon. Gentlemen on the Treasury Bench to give them information as to whether the Woods and Forests was a Government Department. If it was, its powers were already, under the proposal of the Government, transferred, or capable of being transferred, to the County Councils. If it was not a Government Department, then it would be interesting to the Committee to learn what was a Government Department, and it would be desirable, with a view to the proper construction of this Act, when it became an Act, that some definition of a Government Department should, either in this clause or in some other part of the Bill, be inserted.

MR. RITCHIE said, he imagined the Woods and Forests was a Government Department.

MR. ASQUITH: Are they?

MR. RITCHIE said, of course it was. Hon. Gentlemen would see they specifically named certain Government De-

partments, and that it was clear the Government could bring in, under the clause, a Provisional Order dealing with any Government Department. It was one thing to have general words of this kind dealing with every Government Department, and another thing to mention Government Departments specifically by name.

MR. ASQUITH said, that in that case the Amendment was entirely unnecessary. It would clearly be within the power of the House, by a Provisional Order, to transfer, if it saw fit, these very powers to the County Councils.

SIR WILLIAM HARCOURT said, if these words were inserted in the Bill, it would amount to an expression of opinion that the Woods and Forests should be included among those Departments whose powers were to be transferred.

MR. A. L. BROWN (Hawick, &c.) said, that the First Lord of the Treasury (Mr. W. H. Smith) had asked for information as to anything likely to increase the revenue derived from Crown property. If the right hon. Gentleman would turn his attention to the Scotch fisheries, he would see that a larger revenue might be derived.

SIR GEORGE CAMPBELL said, the right hon. Gentleman the Member for Derby (Sir William Harcourt) had emancipated himself from many Conservative prejudices, but he seemed still to labour under some such prejudices in regard to the question of the Crown lands. There could be no greater fallacy than the contention that Crown lands were not national property. They were national property, and it was a mere fiction to call them Crown lands. It was a fiction which had a very deleterious effect, because there were many instances in which Crown lands were not administered for the benefit of the people. [SIR WILLIAM HARCOURT assented.] He was delighted to see the right hon. Gentleman assented to that view. If it was possible to improve such a condition of things so that the Crown lands could be managed for national and local benefit, great public advantage would result from the change.

MR. RATHBONE said, that the Woods and Forests Department had possession of a considerable part of the foreshores, and, instead of considering they were the Trustees for the national benefit, they were often obstructive in their action.

SIR WILLIAM HARCOURT said, the foreshores were under the Board of Trade. [*Cries of* "No, no!"] He was sure they were in Scotland, and he thought they were so in England.

MR. RATHBONE said, that a case had come under his notice within the last year in which the Woods and Forests Commissioners prevented a Company getting at the sea as a means of transit for a very long time, and thereby considerably impeded the trade of a district.

SIR GEORGE CAMPBELL said, he might add that there were cases in Scotland in which the foreshore had been made away with by the Department of the Woods and Forests at a very nominal price. No greater abuses had been perpetrated in recent years than those connected with the Scotch foreshores.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar) said, that the way in which this Amendment had been supported put many of them in a difficulty. It had been said there was a great deal of obstruction, and even some corruption in the Department of Woods and Forests, and with that opinion many hon. Members cordially agreed. But what he desired to put forward was, whether it was expedient to mix up the question of obstruction by the Woods and Forests Department with the question of the transfer of powers to the local Bodies? Would matters be improved if the powers were transferred to local Bodies? Let them have another inquiry like the Metropolitan Board of Works inquiry, to see whether the charges of obstruction and corruption were true, and whether a larger national revenue could not be derived from the property. He agreed with the right hon. Gentleman the Member for Derby (Sir William Harcourt) that this was national revenue which ought to remain in the hands of the Chancellor of the Exchequer, and he should be very sorry to see the Woods and Forests transferred to Local Councils. Certainly, he did not, by voting against the Amendment, desire to say that the Woods and Forests were anything but very grossly mismanaged.

MR. GOSCHEN said, that the word "corruption" had been used in regard to an official Department. [Hon. GENTLEMEN: Possible corruption.] No; it was rather more than that. He asked if it was fair, unless there was real evidence to that effect, to use such a term? They could not brand a great Department of State on evidence that had not been examined with vices from which, he thought, our Civil Service had been conspicuously free.

MR. BUXTON said, he would withdraw the word "corruption," and express regret for having used it. The word he ought to have used was "obstruction."

MR. A. J. WILLIAMS said, that all that was wanted was that there should be some control over the administration of the Woods and Forests which would be to the benefit of the different localities. That was only common sense, and he trusted his hon. Friend would go to a Division.

MR. PICKERSGILL (Bethnal Green, S.W.) trusted his hon. Friend would not press the Amendment. The hon. Gentleman had stated very strongly that Crown property was national property; but it seemed to him (Mr. Pickersgill) that the distinct effect of his Amendment, if it were carried, would be not to make the Crown property national property, but to convert national property into local property. In that sense the Amendment did not seem reasonable, and he, for one, could not support it.

Question put, and *negatived.*

MR. CHANNING said, that the feeling which animated him and other hon. Members in wishing to have some such Amendment as that which stood in his name was, that the clause, as drawn, undoubtedly gave power to school boards and other elected educational authorities to wipe themselves out of existence by an Order in Council, and to apply for the transference of their powers to the County Councils. It was well known that strong representations had been made in this House by the Birmingham and the London and other School Boards in the country that that would be thoroughly undesirable. It was notorious to every Member in the House who had paid attention to the recent history of the education question, and who had read the important memorandum which appeared in *The Times* newspaper yesterday, and who had considered the important evidence given by a former Secretary to the Education Department and by the present Secretary of that Department, that many distinguished public officials and men who had taken a prominent part in educational matters, wished to carry out the definitely formulated scheme which was very fully put before the country in the letter of Sir Francis Sandford. That certainly was a matter which should not be dealt with by a side wind, should not be brought in as a mere permissive portion of a Bill of this kind, but should be dealt with on its merits. There was no doubt that the scheme brought before the Education Commissioners, and the scheme formulated yesterday by Sir Francis Sandford, contemplated the removal of the principle of the compromise of the Act of 1870, and the introduction of the principle of paying denominational schools out of the rates. He thought the Committee was entitled to ask why Her Majesty's Government had inserted words in this permissive clause which, without the slightest doubt, gave power to the school boards to apply for their own extinction? Hon. Members who had followed the matter must perfectly well remember the discussion on the clause introduced by Mr. Pell in 1876. The permissive power given in that clause, however, was of a much more limited character, and there was under that clause power to restore the school boards if desirable. When Mr. Pell's clause was discussed, no hon. Member of the House expressed himself more strongly against the power to bring the school board system to an end than the right hon. Gentleman the Member for Central Birmingham (Mr. Bright), whose temporary absence they all so much deplored. He (Mr. Channing) had reason to press for an answer from the Government as to how these words appeared in the Bill. Had not the country some right to challenge the Government, and say they had been attempting, in this Bill, to introduce by a side wind one portion of the first step in the scheme for placing denominational schools on the same footing as board schools, and for handing over the control of education from the elected representatives of small local

areas, men who were acquainted with the local feelings of the people, to a central body at some distance from the localities. He thought the principle of local control was the keynote of the success of education in England. It was the secret of the magnificent results obtained by such a school board as that of Birmingham, and it was equally true of the Managing Committees of voluntary schools. His amendment applied also to the endowed schools of the country, where there was an elective element in the body of governors. He quite agreed with much that had been said in regard to transferring to the County Councils some control over the endowments of the country. But he held that it was vitally important to maintain some form of local administration, so that the special wants and interests of the locality might be secured. He had reason to believe that the first part of his Amendment would be accepted by Her Majesty's Government; but he trusted that on consideration they would be disposed to accept the whole of it.

Amendment proposed,

In page 6, line 9, after the words "authority" to insert the words "or a school board, or other board, committee, or authority elected directly or indirectly to deal with educational matters, or any body of trustees or governors, wholly elected, or partly elected and partly nominated, for the management of an endowed school."—(*Mr. Channing.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he was sure the Committee would hardly expect him to enter into a discussion of the merits of the Act of 1870, or of the manner in which the school boards of the country had fulfilled the duties cast upon them. He would only say that no one valued more than he did the provisions of the Act of 1870, and none were stronger in their admiration of the manner in which that Act had been carried out, and of the enormous benefit conferred upon the country by the school boards elected under the Act than himself. But it was unnecessary for them to enter into a discussion of that, because they had said explicitly, that they did not intend that the question of school boards should be included in the provisions of the Bill, and they had said they proposed to accept the Amendment of the right hon. Gentleman the Member for the Sleaford Division (Mr. Chaplin), which specifically excluded school boards from transfer under the Bill. With reference to the latter part of the Amendment he had to point out that, in his opinion, all the hon. Gentleman desired to safeguard was amply safeguarded, now that they had accepted the proposal that no transfer should be made without Parliament being consulted and having an opportunity of expressing its opinion in the matter. That, he thought, would be accepted by the Committe as sufficient to safeguard all the hon. Gentleman had dwelt upon, and therefore he thought that, under the circumstances he had named, it would not be advisable to insert in the Bill the words the hon. Gentleman had suggested.

MR. MOLLOY (King's Co., Birr) understood the right hon. Gentleman to say that school boards were to be excluded from the action of the Bill.

MR. RITCHIE said, that they were not included; but, in order to make it perfectly plain that they had no intention of superseding boards elected in that way under a specific Act of Parliament, by bringing in a Provisional Order, they would assent to them being excluded. They thought, looking to the nature of the powers, and the manner in which school boards were constituted, and the way they were elected, that if any alteration were made, it ought to be made by a public Act of Parliament.

MR. MOLLOY asked if the Government meant to prevent the possibility of school boards being brought by Provisional Order, or otherwise, under the authority of the County Councils?

MR. RITCHIE: Certainly.

MR. MOLLOY said, that in that case he could not understand why the right hon. Gentleman had given no reasons. Education was a question for the people, and the people themselves were better able than anyone else to judge what kind of education they required. Yet the right hon. Gentleman had now announced, for the first time, he believed—[MR. RITCHIE: No, no!]—that he intended to take away from the people powers given under the Bill in that respect. The hon. Member (Mr. Channing) speaking in favour of his Amendment, which he (Mr. Molloy) hoped would be withdrawn for some

other, had contended that the system of education given under the school boards was satisfactory. He (Mr. Molloy) could not agree with the hon. Gentleman. He did not think that the system of education, so far as it related to the fitness of boys, when they left school to take up occupations in the world, was as good as seemed by many to be imagined.

MR. F. S. POWELL (Wigan) said, it seemed to him that the hon. Gentleman (Mr. Molloy) did not fully appreciate the meaning of the Amendment. The Bill as it now stood preserved from interference certain Bodies elected by the ratepayers, such as Corporations, as well as urban and rural authorities. This Amendment was to preserve other Bodies likewise elected by ratepayers from interference. He was surprised there was any objection raised to the Amendment on the other side of the House; certainly he must deprecate any attempt to enter upon a wide discussion of educational subjects upon that clause.

MR. ILLINGWORTH said, he trusted the right hon. Gentleman the President of the Local Government Board would satisfy the Committee upon one point. As he understood the matter, there was no intention, and it had been made clear by the acceptance of the Amendment of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin), that there should not be any interference with, or absorption of, the school boards by the County Councils. What he was anxious to know was whether any of the functions now exercised by the Education Department in connection with voluntary schools would be in any way transferred to the County Councils?

MR. RITCHIE said, the Government had not the smallest intention of doing anything of the kind.

MR. ILLINGWORTH believed that that statement would tend to shorten the discussion, because there was great anxiety, and, he must say, considerable jealousy upon the Education Question, considering the position in which it now stood. The right hon. Gentleman the President of the Local Government Board had given an assurance to the Committee that there was no intention whatever of transferring any powers or altering the relationship between voluntary schools and the Department, except by an express Act of Parliament in the form of a Provisional Order. If that were the case, perhaps his hon. Friend would not find it necessary to press his Amendment.

SIR LYON PLAYFAIR said, that under the Bill, no alteration could take place as to the endowed schools.

MR. CHANNING said, that after the remarks of the right hon. Gentleman the Member for South Leeds (Sir Lyon Playfair) he would not trouble the Committee by pressing that part of his Amendment which dealt with endowed schools. With the permission of the Committee, he would withdraw his Amendment, and simply move the insertion of the words "or a school board."

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 6, line 9, after the word "authority," insert the words "or a school board."—(*Mr. Channing.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE thought it would be more convenient, the hon. Gentleman's former Amendment having been withdrawn, that his right hon. Friend's (Mr. Chaplin's) Amendment should be put, which included Boards of Guardians as well as school boards.

MR. CHANNING pointed out that there was no objection to the words of his Amendment, whereas the additional words in the Amendment of the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) might lead to controversy.

Question put, and *agreed to.*

Amendment proposed, in page 6, line 9, after the words last inserted, to add "and not being a Board of Guardians."—(*Mr. Chaplin.*)

Question proposed, "That those words be there inserted."

MR. CONYBEARE (Cornwall, Camborne) said, that as it appeared that the Amendment was about to be passed *nemine contradicente*, it was as well he should express a view, which he knew was held heartily on the Opposition side of the House, that Boards of Guardians ought to be disestablished and their powers transferred to the County Coun-

cils. He knew that in that statement he was largely supported by the popular Party in the House. [*Laughter.*] Well, they would be able to know whether hon. Gentlemen opposite formed the popular Party when they had the courage to go to the country. Anyhow, he and his hon. Friend's had all along held that one of the greatest defects in this measure was that the Government had left altogether in an unreformed condition the Boards of Guardians in the country. He did not desire to say much upon the question; but as the right hon. Gentleman had proposed to purposely exclude Boards of Guardians from being transferred to the County Councils, it was their duty, at any rate, to utter a protest against that view, because they considered that the duties of Boards of Guardians were among the most important duties which County Councils ought to have to perform, being as they were so intimately connected with the welfare of the people of the country. It was perfectly well known that Boards of Guardians did not give satisfaction to the people. The qualification for membership was a high one; there were *ex officio* members, and if the Government were really sincere in their constant profession of trusting the people, they would have no difficulty whatever in handing over to the County Councils the duties at present inadequately performed by Boards of Guardians.

Mr. RITCHIE thought he should be able, in a very few words, to show how impossible it would be to transfer the power of Boards of Guardians to County Councils. Guardians were Guardians for Unions, while County Councils would be composed of the representatives of several Unions, and without an entire re-arrangement of the whole system it would be quite impossible to transfer the power of Boards of Guardians to County Councils. What the hon. Gentleman (Mr. Conybeare) suggested could only be done by a complete scheme and not by any method of transfer.

Mr. F. S. STEVENSON (Suffolk, Eye) said, that if the contention of the right hon. Gentleman was correct, the Amendment of the right hon. Gentleman the Member for the Sleaford Division (Mr. Chaplin) was really unnecessary. If, on the other hand, the effect of the Amendment would be to prevent the transfer of powers from the existing Boards of Guardians to some other authority, the Amendment was in the highest degree mischievous. If there was one thing which was brought out more clearly than another in the debate on the second reading, it was that the existing system which the Bill proposed to continue, by which they were to have the constitution and qualification and mode of election of Boards of Guardians continued on the same basis as now, was one of the most anomalous features of the Bill. Surely an Amendment which provided that at no future time should it be possible to do away with Boards of Guardians, except by a special Bill brought in the House, was one which ought to be strenuously resisted.

Mr. RITCHIE said, that the Amendment only prevented the transfer of these powers by a Provisional Order—the transfer of the powers of a Body composed of representatives of one small area to a Body composed of the representatives of a very much larger area by a Provisional Order. He thought that whatever might be the opinion as to the expediency of the transfer in the future, hon. Members would agree with him that the transfer ought to be done by means of a Bill which would deal with the entire re-arrangement which would have to take place if the transfer were to be made.

Mr. H. GARDNER (Essex, Saffron Walden) said, he had understood from the Secretary to the Local Government Board (Mr. Long), that it was extremely probable that it would be left to the County Councils to determine whether the powers of the Boards of Guardians should be altered or reformed under the new conditions of the Local Government Bill.

The SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. Long) (Wilts, Devizes) said, he never made any statement of the kind.

Question put, and *agreed to.*

On the Motion of Mr. Chaplin, the following Amendments made:—In page 6, line 11, after "suit," insert "exceptions and modifications as appeared to be expedient and also such;" and in line 15, after "thereof," insert "shall be."

MR. T. E. ELLIS said, that the Amendment which stood in his name was to leave out the words—

"By the Secretary of State or Department concerned, or approved by the Commissioners, Conservators, or body corporate or unincorporate, whose powers, duties and liabilities are affected thereby,

He wished to ask the Government whether it was really necessary to include these words? Their object appeared to him to be that if any power was to be diverted from a Department to the County Councils, the approval of the Department must be had beforehand. He imagined that the Government of the day would bring forward a Provisional Order, whether they had the consent of the permanent officials or not. If that was the case, he thought it would be better to leave these words out of the Bill.

MR. RITCHIE said, it was not a question of the permanent officials at all. The Local Government Board would be under the Bill charged with the preparation of the Provisional Orders, and clearly it was essential that the words should be inserted to show that before the Local Government Board acted in that way, the draft orders should be submitted to the Departments concerned for their approval.

MR. FIRTH (Dundee) said, the Amendment which he had now to propose provided that before the Order in Council was made, the draft thereof should be approved by the County Council to whom the power was to be transferred.

Amendment proposed,

In page 6, line 15, after "approved," insert "by the County Council to which the transfer is proposed to be made, &c."—(*Mr. Firth.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he was sure the Committee would see at once the enormous amount of inconvenience which might possibly follow the acceptance of such an Amendment as that. For instance, it might be desirable that certain powers should be transferred to a County Council, and it would be excessively inconvenient if the County Council said, "We do not want these powers." It was quite clear that they must deal with this question as a whole, and, under the circumstances, he trusted the hon. Gentleman would not press his Amendment.

MR. BAUMANN (Camberwell, Peckham) trusted the right hon. Gentleman would consider whether he could not insert some words, either now or on Report, which would give the County Council of London an opportunity of saying whether it would or would not take over powers which it might be sought to transfer by Provisional Order. He thought it was not at all unlikely that an attempt might be made to overload the new County Council of London with powers and duties which it would have no desire to take, and which, considering its numbers, it might have no power to discharge. He thought that it was only reasonable that this Body should be asked whether it was prepared to take over powers contemplated to be transferred to it.

MR. FIRTH said, that this was not a case of Provisional Order, but of Order in Council.

MR. RITCHIE said, that was so; and that was really the answer to his hon. and learned Friend (Mr. Baumann).

MR. FIRTH said, he should be willing to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. FELLOWES (Huntingdonshire, Ramsey) said, he now begged to move the Amendment, No. 17[a], standing in his name—namely, to leave out, in line 15, from "approved," to "shall," in line 18, in order to insert—

"If it relates to the powers, duties, or liabilities of a Secretary of State, or the Board of Trade, or any other Government department, by such Secretary of State, Board, or department, or approved, if it affects the powers, duties, or liabilities of any commissioners, conservators, or body, corporate or unincorporate, by such commissioners, conservators, or body."

The object of the Amendment was very simple; it was only more clearly to define the powers of the Commissioners. At the present time something like 300,000 acres of fen land in Lincoln, Norfolk, Cambridgeshire, and the Isle of Ely were under Drainage Boards, and it was considered that it would be very disastrous if the powers now exercised by those Drainage Boards should be handed over to those who were inexperienced in and knew nothing about fen land drainage. He therefore hoped the Committee would accept the Amendment.

[*Ninth Night.*]

Amendment proposed,

In page 6, line 15, leave out from "approved" to "shall," in line 18, and insert "if it relates to the powers, duties, or liabilities of a Secretary of State, or the Board of Trade, or any other Government department, by such Secretary of State, Board, or department, or approved, if it affects the powers, duties, or liabilities of any commissioners, conservators, or, body corporate or unincorporate, by such commissioners, conservators, or body."—(*Mr. Fellowes.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. RITCHIE said, in framing the Bill it had been intended that words should be inserted to carry out exactly the intentions of the hon. Member. He was bound to acknowledge, however, that the point was much more clearly put by the words proposed. The words of the Amendment were very explicit, and therefore he should be happy to accept them.

MR. BRUNNER (Cheshire, Northwich) said, he should like to ask whether the word "commissioners" did not leave the clause too wide?

MR. RITCHIE said, he did not think so, as the clause already contained the word, and the Amendment simply referred in that respect to what was already adopted.

MR. BRUNNER said, he would ask, would not this word be held to include Improvement Commissioners?

MR. RITCHIE: No, the Amendment simply follows the clause which refers to Commissioners of Sewers.

Question put, and *negatived.*

Question, "That those words be there inserted," put, and *agreed to.*

MR. CHAPLIN said, he now moved to omit the words—

"Shall be laid before each House of Parliament for not less than thirty days on which such House is sitting, and if the House before the expiration of such thirty days presents an address to Her Majesty against the draft or any part thereof, no further proceeding shall be taken thereon, without prejudice to the making of any new draft order, but otherwise the draft or such part as is not the subject of any such address shall be deemed to be approved by Parliament."

His object was, afterwards, to insert the words—

"And every such Provisional Order shall be of no effect until it is confirmed by Parliament."

Amendment proposed,

In page 6, line 18, leave out from "thereby," to end of line 25, and insert "and every such Provisional Order shall be of no effect until it is confirmed by Parliament."—(*Mr. Chaplin.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. RITCHIE said, that this Amendment the Government, of course, accepted, as it had been the understanding throughout that the Provisional Orders they were speaking of were Provisional Orders which should be laid before Parliament.

MR. CONYBEARE asked whether any Provisional Order ever came into effect without being laid before Parliament?

MR. RITCHIE: Yes; some of our Provisional Orders have come into effect without being laid before Parliament.

MR. CONYBEARE: Does the right hon. Gentleman mean simply by remaining on the Paper without notice being taken of them?

MR. RITCHIE: There are Board of Trade Provisional Orders, I know, which come into force without being submitted to Parliament at all.

Question put, and *negatived.*

Question, "That those words be there inserted," put, and *agreed to.*

MR. WOODALL (Hanley) said, he rose to move Amendment No. 24, after line 25, to insert—

"Provided further that nothing in this section, nor in any order made under this section, shall extend to transfer to a county council, or to render exercisable by a county council, any power, duty, or liability within or with respect to any borough not by this Act constituted a county of itself."

He trusted the right hon. Gentleman the President of the Local Government Board would see the propriety of accepting this Amendment. They had now arrived at a fair understanding of the constitution of the County Council, and the position in which it would be placed by the Amendments which had been adopted by the Committee. It would be remembered, with regard to the powers which were to be transferred from the different Government Offices to the new County Authorities, that they had learned from the right hon. Gentleman himself that the provision would not apply in the case of any measures promoted by the Authorities themselves. The provision for transferring these

powers would not apply in the case of any of the scheduled boroughs; therefore it was clear that, much as they had desired decentralization and devolution, the Home Office, Board of Trade, and Local Government Board would be under the necessity of continuing the staff of competent men they had hitherto employed, in order to deal with those matters which would be referred to them under the same conditions as heretofore, and all this Amendment asked was, that corporate boroughs which were of less population than those exempted, that was, under the 50,000 population limit, would be left as heretofore, rather to the Government Authorities than to the newly constituted County Councils. He trusted it would not be necessary for him to occupy the time of the Committee at any length in arguing considerations which must be obvious to all hon. Members present. He was glad to see in his place the hon. Baronet the Member for the Blackpool Division of Lancashire (Sir Matthew White Ridley), whose very weighty illustrations in support of this Amendment had, unfortunately, been heard by such a small number of Members. There must, however, have been many Members in the House who had been urged by their constituents to support this Amendment, and he, therefore, ventured to submit it to the Committee.

Amendment proposed,

In page 6, after line 25, insert—"Provided further that nothing in this section, nor in any order made under this section, shall extend to transfer to a county council, or to render exercisable by a county council, any power, duty, or liability within or with respect to any borough not by this Act constituted a county of itself."—(*Mr. Woodall.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he could understand the hon. Gentleman placing this Amendment on the Paper, and desiring to have it inserted as the clause was originally drawn, because, when the clause stood in its original form, certain powers were at once transferred to the County Councils, many of those powers being powers connected with the issue of Provisional Orders, and many of them dealing with matters affecting the arrangements of the Imperial Government with the boroughs. But it must be pointed out to the hon. Gentleman that the face of things had very materially altered by the changes which had taken place in the clause.

MR. WOODALL said, those changes had strengthened his point.

MR. RITCHIE said, he did not think that could be the case, because, as the clause now stood, no transfer could be made except by means of a Provisional Order. It would be a matter for consideration, when a Provisional Order was made, whether it did or did not unduly and in an objectionable manner interfere with a borough. He thought it would be highly inexpedient to add a provision of this kind to a clause which would entirely prevent in future any power being given to a County Council which must be exercisable with reference to every borough within the county. He honestly believed that when this Bill came into operation boroughs which were contained within the counties would see, in reference to the position they would occupy on the County Councils, that in many matters for which they had now to come to the Government Departments, it would be more convenient and more desirable for them to go to the great Administrative Institution it was proposed to set up in every county. If this Amendment were accepted, it would prevent these powers being exercisable, and they would, for a time, until a fresh Act was passed, impose the duty on a borough of coming to the Central Department rather than going to the local Representative Institution on which they themselves were fully and adequately represented. He hoped, therefore, that, looking at the fact that there was a desire to carry out, as far as possible, a system of decentralization, and place in the hands of the Local Body those powers which had hitherto been discharged by the Central Authority, when the transfer was made from the Central Department, he hoped the hon. Member would see that the Government did not desire to infringe on the privileges of anyone in the county, but rather to increase them. All boroughs, by means of Provisional Orders, would be able to express their opinion upon any matter they thought desirable.

SIR MATTHEW WHITE RIDLEY (Lancashire, N., Blackpool) said, he had hoped that the right hon. Gentleman the President of the Local Government Board would have viewed this

Amendment with more favour. The right hon. Gentleman forgot that the County Councils, as now constituted, would be very different Bodies to those foreshadowed in the Bill, and, he might say, as some of them would have preferred to see them. The right hon. Gentleman forgot that there were very few counties in England in which the County Councils would represent any boroughs at all. Take the large county of Lancaster. He could very well conceive that, if all the great boroughs in that county had found representation on a large Council formed for the representation of the County Palatine, it would have been possible to give them very many of the powers they had been discussing, and he presumed that no such Amendment as that now proposed would have been necessary. But what was the position they found themselves in now? There were many boroughs in Lancashire, part of which county he represented, which would not be treated as separate counties, and he could assure the right hon. Gentleman that these places had no desire to go to the new County Authority, as it would be constituted under this Bill, to get its sanction for Provisional Orders, or any other powers which might have to be given. These boroughs had already represented to the right hon. Gentleman that they would rather go to a Government Department. He had two or three boroughs in his mind in the county of Lancashire —health resorts, say. With what confidence could one of these go to a County Council such as they would be likely to have in Lancashire, where rival interests would, in all probability, be very largely concerned? Would they be able to go with the same confidence to such a Council as they would be able to go to a Central Department in London? The right hon. Gentleman the President of the Local Government Board said that a Provisional Order would meet the whole case, and that boroughs which did not desire to come under the control of the County Council were to have the advantage of obtaining such Orders. He (Sir Matthew White Ridley) could quite understand that there was something in that view of the right hon. Gentleman; but his contention was, that the municipal boroughs were not adequately represented on the County Councils. The right hon. Gentleman the President of the Local Government Board said they were adequately represented, but that position he (Sir Matthew White Ridley) disputed. Why should those municipal boroughs be put in the position of having to oppose Provisional Orders promoted by the County Councils? They now asked that they might have a separate existence in the county, which was perfectly well understood; that all boroughs, whatever their population, should, with reference to these Orders, be excluded from the action of the County Council. Surely the case needed only to be stated to find some support, and he sincerely trusted the right hon. Gentleman would take a favourable view of the matter.

SIR WILLIAM HARCOURT said, he agreed rather with the Government than with the hon. Baronet who had just spoken, or the hon. Member who had moved the Amendment. He would ask the question once more, were they or were they not engaged in decentralization? If they were, what was the object of the argument of the hon. Member that they ought to have centralization with regard to boroughs. ["No, no!"] Yes; that really was his argument, because all these authorities were to be reserved to the Government Departments. Now, he (Sir William Harcourt) wished to get this authority out of the hands of the Government Department as far as possible. He had been a party to getting the great boroughs out of the Bill, although, no doubt, the right hon. Gentleman the President of the Local Government Board, in the interests of his measure, would rather have kept them in. He (Sir William Harcourt) fully admitted that, if the great boroughs had been kept in the Bill, it would have strengthened the right hon. Gentleman's County Councils; but then there were rival interests in connection with the great boroughs, which the right hon. Gentleman had thought it necessary to respect. But if they were going to lay it down that all the small boroughs were also to be absolutely and entirely outside the purview of the County Councils as regarded these powers, practically speaking they would reduce their County Councils to a condition of comparative insignificance. Therefore, it was clearly in the interest of the Bill, as he was constantly contending, not to weaken the County Councils. He observed that

the hon. Baronet (Sir Matthew White Ridley) had used these words—"Could these rival towns have confidence in the County Councils?" Why, that surely was a spirit of want of confidence which would weaken these Bodies very much. If they held the Councils up as Bodies to which towns in Lancashire could not safely trust their interests, they were disparaging the County Councils, not intentionally, perhaps, but they were expressing with regard to them a want of confidence that would very much diminish their authority. He objected very much to the exercise of many of these powers possessed by the Central Department. When he was responsible for the administration of the Home Office, he observed that Inspectors of Constabulary, for instance, were constantly going to towns and telling the Local Authorities that they ought to have more police than the Local Authorities thought they wanted. He absolutely prohibited any interference on the part of the Home Office with the Municipalities or the Local Councils in these matters. If these Councils knew anything at all, they knew much better than any Central Authority all about such matters as local police. The Inspectors of Constabulary, to his mind, were absolutely useless for the purposes for which they at present existed; and he referred to them as an illustration of what he considered a bad form of centralization. He should be very sorry to exclude from the Bill the power and means of getting rid of more of this Central Department authority. As the right hon. Gentleman had said, they did not commit themselves finally on the subject of what powers were to be given or not given, but, by keeping these words out of the Bill, they would be keeping open to themselves the means of transferring such of the powers as might be thought desirable.

MR. RITCHIE said, he concurred with the views expressed by the right hon. Gentleman who had just sat down. In his opinion, the County Councils would be in an extremely anomalous position if the Amendment were accepted. All these boroughs would be represented on the County Councils—and he did not know whether he had misunderstood the hon. Baronet in saying that they might not all be represented.

SIR MATTHEW WHITE RIDLEY said, that rival towns would be represented on the same Council, and it would not be a pleasant thing for a health resort, for instance, to apply to such Council for a Provisional Order, it might be, against the desire of other towns.

MR. RITCHIE said, that with all respect to the hon. Baronet he had more confidence in what the position of these County Councils would be than to imagine that there would be such rivalries and jealousies between one town and another, which would prevent a town getting what it desired. It would be a matter for consideration, when a Provisional Order was brought in, what way the borough should be dealt with. Though he thought there was a great deal to be said for the view of the hon. Gentleman the Member for Hanley (Mr. Woodall), in regard to the transference of many of the powers which were of a debatable character—questions involving Provisional Orders—yet he thought that the concession the Government had made as to Provisional Orders really removed the main ground for this Amendment.

SIR JOHN SWINBURNE (Staffordshire, Lichfield) said, he hoped the Government would give this matter further consideration. The small boroughs, one of which he had the honour to represent, were strongly opposed to these rights being taken away from them. They were prepared to manage their own affairs through the Central Department, and they asked that they should not be disturbed. As the hon. Baronet the Member for the Blackpool Division of Lancashire (Sir Matthew White Ridley) had said, they would be represented upon the County Councils, but they would have only one member, perhaps, on a Body consisting of 70 or 80, and their voice would be almost unheard amongst such a large number. The whole sense of the Bill, as proclaimed by the Government, was that vested interests would not be disturbed—that nothing would be taken away from any vested interest, so far as any local affairs were concerned.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) said, he also desired to support the Amendment. He was certain that the municipal boroughs of the country were most anxious to be exempted from the authority of the

County Council, and not to be interfered with by it. The old Municipalities, almost one and all of them, begged to be exempted. He, therefore, agreed very much with what had fallen from the hon. Baronet the Member for Blackpool, and he trusted the right hon. Gentleman who was in charge of the Bill would look favourably upon the proposal.

MR. BRUNNER said, he regretted he could not support the Amendment of his hon. Friend, though it was impossible for him to follow the arguments of the right hon. Gentleman in charge of the Bill. It seemed to him that the County Councils, as constituted by the Bill, would be somewhat less worthy of respect than they would have been if all the boroughs of 50,000 and upwards had been represented upon them; but, on the other hand, he thought it would be a sad thing on the part of the House to keep up two Authorities to which appeal could be made on matters such as were dealt with in the Schedules. Although he had always had a very great respect for the action of the officials under the Local Government Board, he thought it would be well that the County Council should be the Authority of the future, not only because he had every confidence they would do their work well, but also on account of the educating influence which would thus be brought to bear upon them. He wished to point out, that if the proposal for selective Councillors were dropped the County Council would be more respected by the boroughs the hon. Baronet had spoken of than they would be in the future. This question of selective Councillors, however, had been thrashed out, and he did not wish to say more about it. He had endeavoured, in the consideration of this Bill, to put aside all Party matters, and he desired that these County Councils should be as greatly respected and as dignified as they could possibly be made, and he believed that if, by-and-bye, those selected Councillors no longer existed, the County Councils would be more respected.

MR. CONYBEARE said, he agreed with the right hon. Gentleman the Member for Derby (Sir William Harcourt) in his desire for decentralization, and, at the same time, he agreed with those who supported the Amendment; but he thought that another alternative might be suggested which did not appear to have been brought before the Committee. It appeared to him that what they wanted to do was to carry out decentralization as far as possible, but, at the same time, to safeguard the individual urban life of the different municipalities, on behalf of which the hon. Member for Hanley (Mr. Woodall) and the hon. Baronet the Member for the Blackpool Division (Sir Matthew White Ridley) had spoken. He would ask if these two conflicting views could not be brought together by providing that, when a measure of decentralization should have taken place, authorities which differed very much in themselves should be transferred, some to one party and some to another? When the measure for decentralization was adopted and a Provisional Order Bill was brought forward, some of these powers might be transferred to the District Council. These District Councils would, he understood, in many cases be the municipalities which they were speaking of. He felt very strongly that the County Councils should have ample powers and should be made as dignified as possible, so as to command the confidence of the people generally; but at the same time they did not want altogether to stifle the individual municipal life of the old established boroughs which were now in question. He would, therefore, venture to suggest whether the right hon. Gentleman the President of the Local Government Board would not consider the possibility of making some arrangement in the direction proposed. He did not say that the right hon. Gentleman should accept the Amendment as it stood upon the Paper, but he would ask whether the right hon. Gentleman could not frame some suggestion, at a later stage, to provide that when such transfers of powers took place as was proposed, some of the powers should be transferred to the District Authorities instead of the whole of them being transferred to the County Councils. It struck him that this proposal might meet with the approval of the hon. Member for Hanley, and at the same time bring into harmony the conflicting views of hon. Members.

SIR WALTER FOSTER (Derby, Ilkeston) said, he wished to add a few words in favour of the Amendment moved by the hon. Member for

Hanley. He believed that if the Bill was carried without the Amendment it would do harm to the municipal life of the small boroughs. Many of these boroughs were very ancient, and they would be placed in a secondary position —as compared with the position they had held in the past—under the Bill as it at present stood, and he did not think that would be good for their municipal life. Moreover, the adoption of the clause without this Amendment would be a slur upon those boroughs which during the past few years had been created municipal boroughs, as they would be placed in a secondary in place of an inpependent position as regarded the County Authority. The clause, unless amended, would afford an obstacle to the creation of new municipalities in the future, as they would have to maintain their claim through the County Councils instead of through a Government Department. It was in the interests of independent local life, which he thought ought to be encouraged and fostered by every means in their power, that he strongly supported the Amendment of the hon. Member for Hanley. One of the best things in our local life from one end of England to the other had been the growing up of communities into independent centres of local self-government. He wanted that state of things to continue. He did not wish to see these boroughs interfered with, whether they were old or new, as he did not wish to see these places put in an inferior position to a Body which would very often be out of sympathy with them.

MR. WOODALL said, he should be very sorry to put the Committee to the trouble of a Division if he could avoid it; but he certainly, under the circumstances, felt bound to divide. He did not know whether the right hon. Gentleman the President of the Local Government Board could suggest anything to give effect to what he had understood him to imply—namely, that there might be the possibility of devising some method by which the municipal boroughs might have an option in the matter of going either to the County authority or to the Government authority.

MR. RITCHIE said, he was afraid it would be very inconvenient to have a dual control, but he had always said that when they came to consider the question of the transference of powers by means of Provisional Orders, he should be very glad to give full consideration to the suggestion made.

MR. WOODALL said, that the right hon. Gentleman would see that his Amendment proposed that whatever might be the powers given under the Provisional Orders to county authorities, the municipal boroughs should be exempted.

MR. RITCHIE said, he could not possibly accept that.

MR. HALLEY STEWART (Lincolnshire, Spalding) asked, would the right hon. Gentleman consider the proposal of the hon. Member for the Camborne Division of Cornwall (Mr. Conybeare)?

MR. RITCHIE: We give large powers of delegation from the County Council to the District Council?

MR. CONYBEARE asked whether it would not be possible, without putting the Committee to the trouble of a Division, to leave the matter so far open that when they came to discuss the matter of delegating these powers, they would still be in a position to discuss the question they were now discussing?

SIR MATTHEW WHITE RIDLEY said, he hoped the hon. Member for Hanley would not think it necessary to divide the Committee upon this Amendment. It had not received much support, and there seemed to be a great deal in what was said of the changed position effected by the Amendments in the clause.

MR. WOODALL: Perhaps the Government would prefer that we should report Progress?

MR. RITCHIE: Certainly not.

Question put, and *negatived*.

It being ten minutes to Seven of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon *Monday* next.

QUESTIONS.

—o—

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—ADMINISTRATION OF THE ACT.

MR. JOHN MORLEY (Newcastle-upon-Tyne): I suppose I am right in assuming that as Monday was fixed for the debate on the Motion of which I

have given Notice, by that time the Returns for which I asked before the Whitsuntide Recess and the other on the 1st of June will be produced by the right hon. Gentleman the Chief Secretary for Ireland?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): With regard to the first, I am not sure whether I can give all the particulars for which the right hon. Gentleman has asked with regard to the sentences; but as to the other and more important Return, I have communicated to the authorities in Dublin, and I am glad to find it will be possible, without doubt, to have the Return in question in manuscript in the House on Monday, with the exception of the portion of it which relates to the county of Kerry. It may be possible, also, to include the county of Kerry, but I am not certain. I have telegraphed to Dublin and asked that, if possible, this Return should be put into print in Dublin, so that it may be brought before the House without delay. I may point out to the right hon. Gentleman that that is quite an unprecedented course to take, as all such Returns are invariably presented to the House in the first instance, and then ordered by the House to be printed; but I have taken the course I have indicated with the object of placing the information before the House as soon as possible.

MR. JOHN MORLEY: But Kerry is one of the most important scenes of the operation of the Act. Can the right hon. Gentleman not give me any particulars with reference to that county?

MR. A. J. BALFOUR: Yes, I think I can give the right hon. Gentleman a very large number of particulars, but I cannot pledge myself to have the formal Return with regard to Kerry by Monday.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—JUDGMENTS IN THE KILLEAGH CASE—NOTES OF THE JUDGES' DECISION.

MR. T. M. HEALY (Longford, N.) inquired whether the notes of the Judges' decision in the Exchequer Division with reference to the alleged conspiracy at Killeagh would be ready by Monday?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, that he could not undertake without longer Notice to comply with the hon. and learned Gentleman's request, as it was unusual and would be inconvenient.

SIR WILLIAM HARCOURT (Derby): We have put constant Questions on this subject for a week past. Therefore, the right hon. Gentleman had full Notice. We want materials upon which to ask the opinion of the House with regard to these Resident Magistrates.

MR. SPEAKER: Order, order!

MR. A. J. BALFOUR: I must remind the right hon. Gentleman that the inquiry to which the question refers has only just finished. Therefore, the Question could not have been asked before.

MR. T. W. RUSSELL (Tyrone, S.) rose to put a further Question, but

It being Seven of the clock, the House suspended it Sitting.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CHURCH OF SCOTLAND.—RESOLUTION.

DR. CAMERON (Glasgow, College), in rising to move—

"That in the opinion of this House the Church of Scotland ought to be disestablished and disendowed,"

said, the question of Church Disestablishment differed in Scotland and in England in this material respect, that while the Church of England was in fact the Episcopal Church in England, the Presbyterian Church of Scotland was by no means synonymous with the Presbyterian Church in Scotland. It was, in fact, a mere fraction of it, and the connection between Church and State in Scotland had been the cause of every secession that had taken place within its ranks. Wholesale secessions had occurred, and a Presbyterian community had sprung up outside the walls of the Established Church essentially the same in doctrine, equal or greater in point of numbers, which was not

behind the Established Church in material wealth and energy, which was perfectly efficient for the work of the country, and which, as a matter of fact, was carrying on the religious work of the country in the poorest districts in Scotland. So far from the present privileges and position of the Established Church having a tendency to bring about union in the different religious Bodies, it was admitted by the most far-seeing supporters of the Church —it was admitted, for example, by the Duke of Argyll—that nothing was so likely to bring about the union of the Presbyterian Bodies as Disestablishment. That opinion was held by the opponents of the Establishment. It was admitted on both sides that the present state of things could not last long in Scotland. Either Parliament itself must soon wake up to the inexpediency and injustice of the Establishment, the retention of whose privileges afforded a motive for a constant struggle against the sister institutions, or the Established Church would, by means of the State aid which it received, gradually weaken and undermine the great ecclesiastical edifice which had grown up by its aid. Among the Presbyterian communities the question of Disestablishment resolved itself into the question of whether the resources of the State, to which non-Churchmen as well as Churchmen had to contribute, should continually be applied to fostering the dependence of Presbyterianism on State aid; or whether, the connection between Church and State being severed, the principle of religious equality being practically recognized, and the property of the nation being applied to really national purposes, the Churches should be left to work out their own destiny in accordance with the spirit of the times. The statistics were disputed. On the one side the Established Church claimed a majority of the Presbyterian community—he did not think justly—and on the other side the Free and United Presbyterian Bodies claimed that they embraced a majority of the Presbyterian worshippers; but about this there was not the slightest doubt, that the Established Church did not embrace a majority or half of the population of Scotland. The highest claim advanced on behalf of the Established Church was only 46 per cent of the population. The number of places of worship maintained by the Established Church was over 100 less than those of other Presbyterian Churches, and about 1,000 less than those of the Nonconforming Bodies of Scotland. Now, he asked, why should this sect or section of the old creed continue not only this monopoly, but also be allowed to interfere in purely civil affairs at the present day? Why should it be allowed to control the Theological Chairs in the Universities; and why should its ministers enjoy any special immunity from taxation, or interfere through its Kirk Sessions with the constitution of Parochial Boards, to which were entrusted the incidence of the most important items of local taxation? It was in accordance with the spirit of the old times, when there was religious unanimity, that certain privileges should be conferred upon the Established Church. In those days it was held responsible for the poor, and for the morals of the people; but now a new state of matters had arisen. The Established Church had ceased to represent the community; it had ceased even to represent the Presbyterian community. Among a certain portion of the religious Bodies the connection between the Church and State was regarded as sinful and unscriptural, and conscientious objections were entertained to being compelled to contribute towards the maintenance of a State Church. A vast majority of the Free Churchmen considered that under existing circumstances the maintenance of the Established Church was unjust and inexpedient. The fact of the Free Church, which was favourable to the general principle of Establishments, having been compelled by force of circumstances to declare that the maintenance of an Established Church in Scotland was inexpedient and unjust, should be considered a testimony of enormous weight by the Members of this House. The indignation with which the Free Church had again and again resisted the pecuniary bribe of participation in the endowments to go over to the Establishment might be taken as a proof of the earnestness of conviction on the part of members of that Church. Of the two great Presbyterian Nonconforming Bodies in Scotland, one was dead against all connection between Church and State, and the other declared that in existing circumstances the maintenance of the

connection was inexpedient and unjust, and besides those two Bodies there were a number of others who held precisely the same opinion—Baptists, Evangelicial Unionists, Methodists, Congregationalists, and others—all of whom protested against the maintenance of the Establishment as unjust. Again, it was not a Church question only, but Disestablishment was becoming a great political question. With hardly an exception, resolutions in favour of Disestablishment had been adopted by every Liberal association throughout the country, and wherever there was a conference of delegates of those Liberal associations resolutions in favour of Disestablishment and Disendowment were adopted now as a matter of course. Coming to the question of endowments, it was not easy to give exact figures, because most of them had to be dug up from a whole mass of documents. The endowments of the Church of Scotland amounted to between £330,000 and £350,000 a-year, exclusive of a sum averaging £40,000 a-year which the Church received in the shape of an assessment for the maintenance and repair of Ecclesiastical buildings. The total amount received by the Established Church of Scotland in the shape of endowments was therefore less than £400,000 per annum, and that was a mere fraction of the revenues of the Presbyterian Churches in Scotland, which amounted to about £1,750,000 sterling yearly. The endowments which the Church received from the State were from various sources. There was a sum of £17,000 got under Act of Parliament from the Consolidated Fund for the payment of stipends in the Highlands, which the right hon. and learned Gentleman the Lord Advocate (Mr. J. H. A. Macdonald) himself a few nights before had admitted to be wasted. There was another portion of about £20,000 derived from local and burgh assessments, and he did not think the right of Parliament to deal with a Parliamentary grant which was being wasted could be questioned, or that its right to deal with local assessments would be contested. As to the sum received by the Church in the shape of assessments for the repair and maintenance of Ecclesiastical buildings, their hon. Friends opposite admitted the right of Parliament to deal with it, inasmuch as Bills had constantly been brought in relating to the subject. But the greater portion of the endowments of the Church was derived from tiends or tithes. Those, his opponents said, were the patrimony of the Church, and they stigmatized any proposal to divert those tiends to secular purposes as spoliation and robbery. He denied that *in toto*. These endowments from the tiends or tithes were national property, and Parliament had a perfect right, having regard to life interests, to direct them to whatever purpose it pleased. Indeed, he considered Parliament had infinitely more right to deal with those tiends than with Corporation funds, and with the private and recent endowments for educational and charitable purposes on which in the public interest it so constantly laid violent hands. But if his opponents would assert that there was any spoliation in the question, he would reply that the right of the Church of Scotland to these tiends was based entirely on spoliation. Tiends were not instituted by the Presbyterian Church, but by the Roman Catholic Church or the ancient Caledonian Church, and if there was any spoliation, it was practised on the Roman Catholic Church at the time of the Reformation. The Scottish Parliament treated those tiends or tithes as public funds, and for several years after Presbyterianism had superseded Roman Catholicism as the Church of Scotland, no provision for the maintenance of Presbyterian clergy out of tithes existed. Again and again, in the course of various Ecclesiastical revolutions in Scotland, those revenues had been diverted from the Presbyterian Church as the national Church of the country and oscillated between Presbyterianism and Episcopacy. He contended that these tithes were purely national property, that the application of them to a single sect was unjust and inexpedient, because it afforded a lever for the injury of other Bodies who taught the same religion, and who were equally able to provide for the spiritual wants of the people. He maintained, also, that these endowments were unnecessary in the interests of Presbyterianism, because they constituted so small a fraction of the revenues of the Presbyterian religion that their withdrawal would not seriously affect it. He believed one effect of their withdrawal would be to bring about a

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re-union in the Churches, and effect a saving in the working expenses that would compensate for any immediate inconvenience. It was the principle of Disestablishment and Disendowment that he and those who supported him wished to vote in favour of. They had no wish to interfere with life interests, or to imitate the policy which the Church of Scotland itself, controlled by the State, was obliged to adopt in dealing with the people who seceded from it, and whom it sent forth to the world stripped of all their ecclesiastical property. He considered the present system unjust and inexpedient, and proposed another system which was just and expedient. He proposed that the application of the money shall be to some national object. It was calculated that the money would be more than sufficient to meet local charges for education throughout the country, and sufficient in many Highland parishes to provide a satisfactory solution for the crofter question. As to the destination of the funds, however, that was matter for subsequent deliberation. Meanwhile, he wished the House to affirm the principle that the endowments of the Church of Scotland should be put an end to. The position of the Church of Scotland had ceased to be what it was 20 years ago. Its members had adopted an aggressive attitude, and that was the reason why Disestablishment was demanded. The Patronage Act was the first step in this policy of aggression. [*Cries of* "No!"] Was it not the passing of the Patronage Act that preceded the action of the Free Church in regard to Disestablishment? Since then the aggressive policy of the Church and its friends had been steadily continued. Only two Sessions ago a measure was introduced by the hon. and learned Member for the Inverness Burghs (Mr. Finlay) which was intended to withdraw from the Free Church community into the Establishment a number of Highland congregations. Then his hon. Friend (Mr. J. A. Campbell) had on the Paper a Bill which all the Nonconformists of Scotland regarded as a measure to strengthen the Established Church of Scotland at the expense of the Free Church. Moreover, there had that very day been brought forward by a noble Lord in "another place" a resolution to make the Established Church a really National Church, by allowing all Protestant ratepayers to vote in the election of her ministers. There were four Amendments on the Paper against the Motion. The first was by the hon: Member for the Central Division of Glasgow (Mr. Baird), the second by the hon. Member for the Glasgow and Aberdeen Universities (Mr. J. A. Campbell), and the third by the hon. Member for St. Andrew's (Mr. Anstruther). The hon. Member for the St. Rollox Division of Glasgow (Mr. Caldwell), in his Amendment, introduced the Treaty of Union, but, so far as regarded the Church of Scotland, the Treaty of Union was irreparably broken—almost before the ink on it was dry—by the passing of the Act of Queen Anne which re-imposed lay patronage on the Church of Scotland. The Free Church, which now proclaimed the maintenance of an Establishment to be inexpedient and unjust, could advance the very best title to being the real heir of the pre-Union Church of Scotland. He (Dr. Cameron) did not propose any measure for the Disestablishment of the Church of Scotland, but simply proposed a Resolution which would afford means for the Representatives of the people of Scotland in the most authoritative and Constitutional manner to declare their wishes upon the subject. He had moved the same Resolution in the last Parliament, and had been defeated by a large majority, but in the minority were a considerable majority of the Scotch Members, and a very large majority of the Scotch Liberal Members. Including those who afterwards became Unionists, they were three to one in favour of the Motion, and exclusive of those Gentlemen they were seven to one. In 1877 it was evident that in consequence of the Patronage Act the question of Disestablishment and Disendowment in Scotland would become an active and burning question. That was prophesied by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), who said that the attempt that had been made to buy out piecemeal what had been driven out wholesale would produce that effect. When the official Leader of the Liberal Party—the noble Lord the Member for Rossendale (the Marquess of Hartington)—made a speech at Glasgow embodying the policy of the Liberal Party on the subject of Disestablishment, he declared that whenever Scottish opinion,

or even Scottish Liberal opinion, was fully formed on this question, he would venture to say that the Liberal Party as a whole would be prepared to deal with the question on its merits without reference to any other consideration. To that declaration the right hon. Gentleman the Member for Mid Lothian had repeatedly expressed his adhesion. The subject had been kept back for years,—first, because the county franchise question took the lead; and, secondly, at the Elections since another important question had been paramount. There were no longer any reasons which made it expedient to suppress this question, and the time had now come when he called upon the Leaders of the Liberal Party to give effect to the promises that for 10 years had been dangled before the eyes of the Scottish people, their most zealous supporters. He believed that on this occasion he should not appeal to them in vain to redeem their pledges. In October the right hon. Gentleman the Member for Mid Lothian made a speech at Nottingham, in which he referred at considerable length to the Disestablishment and Disendowment of the Church in Wales and Scotland. He declared that the question stood in the first rank of legislative urgency, and repeated his declaration that it ought to be dealt with in accordance with the views of the Scottish people. He further said that if Scotland sent as good a body of Home Rulers to Parliament as Wales, the question of Disestablishment in Scotland would take priority, because Scotland would be able to hold her own. [*Laughter.*] The right hon. and learned Lord Advocate had great power of laughter; but he did not laugh when he heard the news of the Ayr Burghs Election, and he knew the right hon. Gentleman the Member for Mid Lothian would recognize that every seat that has been won by his Supporters in Scotland since the split in the Liberal Party had been won in every single case by men favourable to Disestablishment. He would remind the right hon. Gentleman and the Leaders of the Liberal Party of the Scottish proverb, "Giff-gaff maks guid friends;" and that the obvious corollary of the proposition laid down by the right hon. Gentleman the Member for Mid Lothian was, that if he would strengthen the Liberal ranks from Scotland and the Party he led, he must give a proof of the practical nature of the belief which he had expressed on behalf of himself and his Friends that this question was now ripe for decision. The hon. Member concluded by moving the Resolution of which he had given Notice.

MR. ESSLEMONT (Aberdeen, E.) in seconding the Resolution, said, it might not be inappropriate, as the Motion had been proposed by the Representative of a large city constituency, that he, as representing one of the large county constituencies in the North-East of Scotland, should second it. His hon. Friend (Dr. Cameron), he thought, had made out his case for Disestablishment, and they would look to the other side to make out a case for the continuance of religious inequality in Scotland. The hon. Member for the Central Division of Glasgow (Mr. Baird) had put an Amendment on the Paper which in plain language said that the Motion tended to irreligion and immorality. He (Mr. Esslemont) need not say that, as a Presbyterian and a loyal adherent of the same Confession of Faith as the hon. Gentleman, if he thought the Motion had a tendency to irreligion and immorality, he should be the last person in the world to preach the doctrine of Disestablishment. The hon. Member for the Glasgow and Aberdeen Universities (Mr. J. A. Campbell), who also had an Amendment on the Paper, objected to the Motion, because the position of the Church of Scotland did not warrant them in interfering. He (Mr. Esslemont) had never, in the discussion of the subject, made comparisons with Churchmen, and he was willing to admit, having been connected with the Presbyterian Church for nearly 40 years, that during the most of that time the Church of Scotland had been growing in activity and in vigour in the great work of religion throughout Scotland. But why should they not interfere with that temporal question of Disestablishment and Disendowment? The Church of Scotland was established for three purposes. Its first duty, he admitted, was to look after the religion of the people; but there were two other duties reposed in it under the old parochial system. The first of these was the charge of the poor; but that duty had long ago been consigned to the tender mercies of the ratepayers. The second was the education of the

young; but that also had been removed from the hands of the Church; and he challenged any of the champions of the Church to say that the Education Act had not been, in the main, a great benefit to Scotland. Therefore, two of the elementary functions of the Church of Scotland had been disposed of, and the question they had to consider was, whether the time was not come when the endowments of the Church should be distributed over an area which would be useful to the whole community, instead of confining them any longer to the upholding of what was merely a section of the Church. It had been said that the people of Scotland did not wish their Established Church to be interfered with; but how could the minds of the people of Scotland upon this point be ascertained? The question had been brought prominently before the minds of the Scotch electors during recent elections, and the people had declared themselves either in favour of or against Disestablishment and Disendowment, and it was notorious that the largest portion of those returned were in favour of religious equality. The hon. Gentleman the Member for the St. Andrew's Burghs (Mr. Anstruther) had said in his Amendment that they ought not to apply this money for secular purposes. It was a new doctrine that money which belonged to the public might not be applied for any purpose which the country thought best deserving of support. Many people argued, and it was a favourite assertion of those who were opposed to him upon the question, that the supporters of Disestablishment were in favour of taking away a certain patrimony from the people of Scotland. He thought it only required a very elementary consideration of the question to lead one to the conclusion that neither he nor anyone else proposed to do anything of the kind. Not one farthing of this money would be lost to the people of Scotland. He asked merely whether the time had not come when they might apply it for a universal purpose, in which every parishioner would have an equal share. The proposition of the hon. Member for the St. Rollox Division of Glasgow (Mr. Caldwell) was somewhat contradictory. The hon. Member first said that the Imperial Parliament could not interfere, and then he said that the Imperial Parliament ought to interfere as soon as the people of Scotland told it do so. He left the hon. Member on the horns of the dilemma. There either ought to be home rule on this question, or there ought not. He would make the friends of the Established Church a present of the fact which they put forward, that they were in a large majority in Scotland. In that case, on account of their power and their numbers, they ought to be the more ashamed to take from their Roman Catholic brethren, their Episcopalian brethren, and those who differed from them, the money to support their religion. In the county he represented, there were in many of the parishes one endowed Church and two other Churches belonging to the same denomination, which were neither endowed nor established. These were chapels of ease. Did this great Established Church of Scotland hold to its principles? No; it did not. In not one of those parishes did the old Church seek to divide its loaves and fishes with the others. The whole endowment was kept to the one Church, while the others were allowed to find the means of grace in voluntary subscriptions. Yet this Church, which they were told existed on endowments, really raised as much by voluntary subscriptions as it did from endowments. He did not wish to raise the sectarian question. He was content to rest himself on the political aspects of this question, and he was obliged, in accordance with principles which he had always held, to say that they should no longer withhold from the people in the country a share in the administration of funds to which they had an equal right. He had much pleasure in seconding the Amendment of his hon. Friend.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Church of Scotland ought to be disestablished and disendowed,"—(*Dr Cameron,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BAIRD (Glasgow, Central), who had given Notice of the following Amendment—

"That, in the opinion of this House, the Disestablishment and Disendowment of the Church

of Scotland would be contrary to the interests of religion and the moral welfare of the people, and this House therefore declines to entertain the proposal,"

said, since he had given the Notice he had been given to understand that the Rules of the House precluded him from moving the Amendment, and that nothing remained for him but to meet the original Resolution with a direct negative, seeing that the Division would take place on the Question that Mr. Speaker do now leave the Chair. He was perfectly satisfied with that. His only wish was that the question should be properly and adequately debated, and that a Division should be taken upon it. The hon. Member for the College Division (Dr. Cameron) asked the House to agree that the Church of Scotland should be Disestablished and Disendowed. It was the desire of the hon. Gentleman that his proposition should be carried out to its logical conclusion at as early a date as possible. The idea was evidently intended to be conveyed to the electors, that if they would only return a sufficient majority to Parliament they might look forward to the Disestablishment of their national Church. He (Mr. Baird) did not think such a great question as the Disestablishment of the Church of Scotland ought to stand on such a footing. It ought to stand by itself and be judged on its own merits, and its fate should be decided apart from any other consideration whatever. It had been suggested on high authority, expressed in many quarters, that the matter should be left entirely to the people of Scotland—that if they decided that Disestablishment should take place, then there was nothing more to be said. He agreed with that opinion to a certain extent. He believed that when the people of Scotland had fully made up their minds that the Church should be Disestablished and Disendowed, it would then take place. But what he wanted to know was, how were they going to gauge the opinion of the people of Scotland? They might endeavour to make it a test question at the General Election; but he thought every Member of the House would admit that it would be utterly impossible to separate such a question as Disestablishment from the thousand and one questions which agitated the minds of the electors at such a time. They could not avoid mixing it up with the Land Question or the Drink Question, and say they had a decision on Disestablishment. A *plebisite* is sometimes mentioned in this connection, a sort of glorified local option, in fact; and possibly the machinery provided by the hon. Member for Linlithgowshire (Mr. M'Lagan) would be brought into operation for the purpose. They would then see, not whether the people would abolish public-houses, but whether they would abolish what was one of the greatest enemies to drunkenness. It was often said that the people of Scotland were Radical; but upon some questions he claimed they were the most Conservative people on the face of the earth, and, if this question were put to them fairly and unobscured by other questions, he believed they would display a Conservatism which would be absolutely shocking to many hon. Members opposite. The fact was, the Scotch people had not been consulted on the matter at all. It was said the other night that Scotch opinion was overborne in that House; but as for this being the voice of the country, he would only like hon. Members to go down to their constituencies and take their stand on the single platform of the Disestablishment of the Church, and they would soon see whether the statement that the voice of Scotland, which hon. Members said was to be overborne to-night, was a true one or not. That question of Disestablishment, involving as it did separation from the State, was one on which the English Members were perfectly entitled to give their opinion. He should be glad if the hon. Member for the College Division would bring in a Bill formulating in plain language his proposals, and he should like to appear on the back of it some names he could mention. A few years ago a Bill was brought in by Mr. Dick Peddie, which was one of the wildest ever brought from the Bar to the Table of the House, and it contained proposals so revolting to the people of Scotland, that he was absolutely inundated with Petitions against it. That Bill was dead and buried, and he did not think it would ever be resuscitated. On the back of that Bill appeared the name of the hon. Member for the College Division, but that was no reason why the hon. Gentleman should not introduce a Bill on his own behalf. Many of the hon. Members who sup-

ported the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) upon general questions of policy, he believed, would be very much inclined to withdraw their support, and no one knew that better than the right hon. Gentleman himself. In 1885, when the question of Disestablishment was brought forward, a great agitation was raised against it by the Liberals, and at the last moment the right hon. Gentleman withdrew the subject, finding he had made a mistake, and the election proceeded on other questions. He (Mr. Baird) deprecated the idea that the support of the Church devolved entirely on the Conservative Party. There was no one who was acquainted with the history of Scotland who did not know that since the secession of the Free Church in 1843, the Church had made up much of her lost ground, and had greatly recovered from the severe blow then dealt her; but that was no argument, although often used, why she should be dealt another blow in the shape of Disestablishment and Disendowment. Although much of the lost ground had been made up, there was still a large field for her exertions, and any measure that might arrest the development of the Church, such as Disestablishment, was contrary to the religious and moral welfare of the people of Scotland. He was not going into the question whether these endowments were national property or not, but in this connection he would like to point out that the Church itself was the property of the nation, and was free to all. There was nothing to prevent any man —whether United Presbyterian, Free Church, Roman Catholic, or Atheist— from going into the Church and partaking in its services. He maintained that the Church of Scotland outnumbered, by a large majority, the communities of the Free Church and United Presbyterian Church, and it outnumbered all the other Churches, including the Episcopalian and the Roman Catholic Churches, by over 60,000, and he believed it would be shown that the accommodation provided by the Nonconformist Bodies was very small in comparison with that provided by the Established Church. The argument as to the voluntary offerings of the Established Church being smaller than those of the Free, was a purely commercial one. It was treating the Churches as if they were great Railway Companies competing against one another. In order to obtain a true comparison as to the liberality of the two Churches, the amount of private income of the individual members had to be taken into consideration. The true test of the value of a Church was not the amount of money it gave, but the amount of good it did. It had been said that Disestablishment would lead to a union of the Churches; but he scouted the idea, and wanted to know whether, if the Church was Disestablished, it was at all likely to rush into the arms of the Nonconformists? Suppose one brother fell out with another, was it likely that union would be promoted by one brother giving the other a blow in the face? The Church of Scotland was a progressive Church. Parliamentary Returns in 1874 showed that the number of communicants in the Church of Scotland was 460,000, in 1878 they numbered 515,000, and by the Parliamentary Return for 1884 the number had still further increased to 555,622. Since 1843, the year of the Disruption, 352 new parish churches had been erected, and nearly £2,000,000 had been spent in building churches and manses and in endowing churches. In conclusion, he said that the Established Church had made enormous strides of late years, and was still growing. It had great influence amongst the people of Scotland, and no one who loved his country could look unconcernedly at a blow directed against the Church, which, if effectual, they believed would do serious damage to the best interests of the people of Scotland.

MR. HOZIER (Lanarkshire, S.) said, he desired to congratulate the hon. Gentlemen the Mover and Seconder of the Resolution on the direct character of the Motion they supported. He, for one, greatly preferred an honest, upright, straightforward opponent to one who shilly-shallied and beat about the bush; and to those who pursued such tactics, he would say that even on the lowest ground, the ground of expediency, it was hardly a paying policy to run with the hare and hunt with the hounds. He did not think the hounds cared much for those who hunted along with them and yet were continually trying to throw them off the scent, while, on the other hand, the hare did not care very much

for even the sweetest scent of those who ran along with it, because in that sweetness was always a nasty taint of red currant jelly. Those who were conscientiously in favour of the maintenance of the connection between Religion and the State had good reason to congratulate themselves upon the progress their cause was making, and the way in which Disestablishment was more and more going into the background of late years. In proof of this he would call a witness who could hardly be said to be favourably inclined towards the Church—namely, the hon. Member for the College Division of Glasgow (Dr. Cameron) himself. That hon. Member, in 1885, before the General Election, gave Notice of a Motion which stood in the Order Book of the House of Commons for the next Session, as follows:—

"Dr. Cameron—Church of Scotland Disestabment—That in the opinion of this House the Church of Scotland ought forthwith to be disestablished and disendowed."

Now the hon. Member brought forward a Motion upon the same subject, but omitted from it the word "forthwith." That was to say, that the General Election of 1885 killed the word "forthwith." [*Laughter.*] Surely the omission of that important word showed that between 1885 and the present time popular opinion in Scotland on the subject of Disestablishment had undergone a marked change. To prove that the cause of Disestablishment was losing ground he would call another hostile witness—the evidence of friendly witnesses not being nearly as telling—to testify that in 1884 it was nothing like so ripe as it was in 1874. Mr. Anderson, then Member for Glasgow—no relation, he believed, of the hon. Gentleman who at present represented the counties of Elgin and Nairn—Mr. Anderson speaking in that House, on 11th June, 1884, said—

"He had always voted for Church Disestablishment as a matter of justice. . . . . He looked on that question from that point of view, and yet he was bound to say that in Scotland the question of Disestablishment was less ripe for solution now than it was 10 years ago. It was, he believed, a riper question in England, and certainly in Wales, than in Scotland. For one thing, Dissent had been under no social ban in Scotland. . . . . There were other reasons which his hon. Friend very fairly pointed out—grievances in England and Wales—which did not apply to Scotland. A proof that the question was less ripe now than 10 years ago he gathered from his own constituency. His constituency was, to a large extent, for Disestablishment, and had always been so. Ten years ago he or his Colleague, or any Member of Parliament, could have got a bumper meeting in the largest hall in Glasgow in support of a Disestablishment Resolution. But about two years ago several prominent Liberationist M.P.'s went down to Glasgow and convened a meeting, and though they had the assistance of his hon. Friend and Colleague (Dr. Cameron) they could get nothing more than a half-filled hall. That was a very significant fact indeed."—(3 *Hansard*, [289] 41-2.)

The Motion before the House was a more abstract Resolution; but four years ago the advocates of Disestablishment went the length of introducing a definite proposal in a Bill. The Bill of Mr. Dick Peddie, he would remind his hon. Friend the Member for the College Division of Glasgow, was a Bill bristling with Compensation Clauses. The landlord, the heritor, the minister, and the clerk were to be compensated; in fact, everybody was to be compensated except the poor man who was to be deprived of the Church which was his birthright. It had been said that the Scottish people were enthusiastically in favour of such a measure; but, if so, that enthusiasm was shown in a somewhat strange and curious manner On the back of that Bill appeared five names. The first was that of Mr. Dick Peddie. They all knew what happened to him. He was defeated for the Kilmarnock Burghs, in spite of a speech delivered for him by his hon. Friend the Member for the College Division, and he retired into private life. The next name was that of Mr. Webster, then Member for Aberdeen; he also had retired into private life. The middle name was that of his hon Friend the Member for the College Division. The fourth name was that of Mr. Henderson, then Member for Dundee, who had retired into private life; and the fifth name was that of Mr. C. B. Bright M'Laren, who was recently defeated for the Borough of Stafford. He might, therefore, apply to his hon. Friend the Member for the College Division of Glasgow the words—

"'Tis the last rose of summer left blooming alone;
All its lovely companions are faded and gone."

Now, to what was the miraculous escape of the hon. Member for the College Division due? It might have been due

to good luck or it might have been due to good management. To good luck, inasmuch as his was the middle name of the five, and there was an old Latin saying which ran—"*In medio tutissimus ibis.*" But more probably it was owing to good management. Yes; good management, which consisted in the hon. Member repudiating every line of the very Bill on the back of which his name appeared. He would remind his hon. Friend that he was quite an old enough "Parliamentary hand" to know that it was just as dangerous a matter to put one's name on the back of a Bill in a political sense as it was to put one's name on the back of a bill in private life. There were responsibilities which one incurred in these circumstances which one could not shirk. The only way in which his hon. Friend could escape from the difficulty of the responsibility which faced him in connection with Mr. Dick Peddie's Bill was by saying that it was a Disestablishment Bill, and he did not like it to go forward without having a finger in it.

DR. CAMERON said, he never repudiated any responsibility which he had ever incurred for the Bill. He approved of the principle of the Bill; but as for the details, he did not either suggest or draft them.

MR. HOZIER said, exactly so; his hon. Friend backed a blank Bill as a matter of form, which entailed unpleasant responsibilities in political just as in private life. Whatever they might say with regard to this question, there was no doubt Mr. Dick Peddie's Bill held the field as far as any regular measure was concerned. It had never been superseded by any other scheme; and he would put it to any candid Scotsman whether it was not still more unpopular than any other measure ever presented to a country? They would be told that the votes of the majority of the Scotch Members would show the feeling of the majority of the Scotch people on the subject of Disestablishment. He emphatically denied that, whichever way the majority went. [*Cheers and laughter.*] He observed that the jeers came only from the Irish Members, who could hardly be expected to know much about the subject. The question of Disestablishment was by no means a test question either in 1885 or in 1886. What was Lord Rosebery's opinion? Whatever might be said for or against Lord Rosebery, no one would deny that he was the most admirable electioneering agent any candidate could wish, and one to whom the right hon. Gentleman the Member for Mid Lothian was deeply indebted. In a letter to Dr. Hutton, dated Mentmore, September 3, 1885, he said—

"I do not agree with you that the moment has come for making the disestablishment of the Church of Scotland an indispensable part of the Liberal programme. I do not believe that the country is ripe for it, while I suspect the main result of raising it would be to further Conservative prospects in the coming election. If the people of Scotland wish for disestablishment, nothing can prevent its becoming a test question; if the people of Scotland do not wish for it, nothing can make it one. To my mind, the main issue to be fought at those elections is whether the country is to be ruled for the next six years by Liberal or Conservative methods, to which all other controversies are subordinate."

That was to say, Disestablishment was subordinate to the question of who was to sit on the Government Bench or on the other side. Moreover, a very important statement had been made by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) on the subject which he (Mr. Hozier) did not think had been quoted at all. In the authorized edition of the right hon. Gentleman's speech, delivered on November 11, 1885, in the Free Assembly Hall, Edinburgh, the right hon. Gentleman said, with regard to Dr. Cameron's Resolution—

"Gentlemen, I think the second question put to me is whether I should accept Dr. Cameron's resolution as conclusively conveying the opinion of the people of Scotland. In my opinion, gentlemen, we are not now speaking of the next Parliament. It is agreed we are now speaking, not of the next Parliament, but of the Parliament after it. Would that resolution be a binding resolution, accepted as conclusive with regard to the possible opinion of the people of Scotland on the question by the Parliament after the next? I tell you fairly no such resolution could be accepted as conclusive of the opinion of Scotland. It would require a long series of such resolutions, probably for a considerable time, to give that solidity to a declaration of that sort that would justify Parliament in so regarding it. We will take the supposition either way. Let us suppose that in this election the Church question is made a test question, and that Dr. Cameron's resolution was carried by a majority of Scottish Members. Well, people would very naturally say this. They would say an election carried upon this question as a test question is not a fair indication of the opinion of the people of Scotland on the subject, because the candidate who has voted

for it has done so in consequence of the pressure brought to bear upon him at the election, and from the particular position of parties in his constituency it would be more in his interest to go in that direction than in the other direction. That is very unsafe ground to stand upon, and Parliament would be very slow to recognize it. But let us suppose, on the other side, that it is not made a test question. Well, then, if our view were to prevail, and if I am right in saying that every Liberal voter ought to support a competent Liberal candidate at this election, whatever be his opinion on the Church question, then, of course, no such resolution could be accepted as conclusive, because, as I have said, men were elected on general grounds of Liberalism, and were not elected on the Church question."

He defied anyone to say that the Church Question was a test question in 1886 any more than in 1885. He himself spoke with a free hand, because he was for the Church both in 1885 and in 1886. His opponent, Lord Hamilton of Dalzell, shilly-shallied in 1885, and said he would not vote either way. Lord Hamilton defeated him by shilly-shallying. But the electors found him out, and in 1886 he (Mr. Hozier) beat him, although Lord Hamilton then threw in the extra bait of Disestablishment. Coming now to the Church of Scotland itself, he would emphatically affirm, without fear of contradiction, that it was universally respected and beloved even by those outside it. He would quote the testimony of the hon. Member for North Aberdeen (Mr. Hunter) who was strongly opposed to an Established Church. Speaking in the House of Commons, on March 30, 1886, the hon. Member said—

"In Scotland the Established Church is in doctrinal unity with the leading non-Established Churches. It was not an alien Church representing a hostile creed. It is the old Church, which at one time embraced within its fold the entire Presbyterian community in Scotland. It is a Church that was regarded, even by those who did not belong to it, without the smallest particle of anything like animosity. Its clergy are a hard-working and learned body of men, whose emoluments did not err on the side of excess, and it was not encumbered with overpaid and underworked dignitaries. All its clergy meet on a footing of democratic equality, and its laity, equally with its clergy, shared in the government of the Church. Its history every Scotchman can read with pride.

This was strong evidence in favour of the Establishment. He could not do better, in conclusion, than give the testimony of the late Mr. Forster, the son of a Nonconformist and brought up in the strictest tenets of Nonconformity. On January 5, 1878, at Bradford, Mr. Forster used these remarkable words—

"Not only at present is it the business of the clergy of the Established Church to care for their parishioners, but these parishioners know that it is their business. There is not a man or woman among them, no matter how poor or degraded, who, when sick or sorrowful, or sore beset by the troubles of this life, has not a right to go to their parish clergyman and to ask him, 'What have you to tell me about that better life which is to come.' Now, I am not prepared to take this right from these men and women, and I am all the less prepared to do so because I know that vast numbers of the dwellers in these cottage hovels and in these city cellars go neither to the parish church nor to any church or chapel; but they know, and I wish them to continue to know, that they may ask for the religious help of their minister of religion—not because they are members of this or that congregation, but simply because they are Britons."

He entirely concurred in those words. Therefore, he cordially supported the Auld Kirk of Scotland. He firmly believed in the infinite wisdom of the text which said—"Prove all things; hold fast that which is good." It was because the Church of Scotland had been proved, because it had been proved and not found wanting, that he had so much pleasure in supporting it. It was a Church which, in his opinion, secured that in the very poorest districts, quite as much as in the richest, and in times of apathy no less than in times of enthusiasm, there should be that constant maintenance of religious ministration which was so necessary to the welfare of the people. In these circumstances, he for one would not venture, and he earnestly trusted that the House would not venture, to do anything towards depreciating or minimizing an influence which, whatever its opponents might say—and, goodness knows, opponents would say almost anything—had done and was doing an enormous amount of good.

MR. SHIRESS WILL (Montrose, &c.) said, he was unable to come to the same conclusion as his hon. Friend (Mr. Hozier). The question had been agitated in Scotland for a considerable time, and he believed it was now ripe for a settlement. It never would be any riper, for the time had come when the conditions that ought to precede the settlement of that or any question had occurred, and every condition precedent to a settlement was now realized. He freely admitted that the discussion had,

on all hands, been conducted with good temper and good feeling. He was unable to agree with his hon. Friend's (Mr. Baird's) Amendment, or with the reasons by which he supported it. At the same time, he agreed with the hon. Member that this question ought not to be mixed up with any other question. He (Mr. Shiress Will) believed no section of the House desired to mix the question up with any other question in the political programme. It should be judged upon its merits, and if it had any demerits, it ought to be condemned for them, and not for the demerits of any other question. His hon. Friend (Mr. Baird) said the proper time for dealing with the question would be when the people of Scotland had fully made up their minds upon it. But how were they to know that, except through the voice of the Representatives of the people in that House? Statistics had been widely circulated on both sides of the question, and had been fully dealt with by his hon. Friend (Dr. Cameron); but he did not care whether the number of communicants was slightly larger on one side or the other. The time had gone by for counting heads. The question had been so well considered and so thoroughly argued, and was so well understood in Scotland, that it made no difference whatever, whether they had a few figures more on one side of the question than on the other. Then the Mover of the Amendment and his hon. Friend who had just sat down had treated the question as if the Resolution committed those who supported it to an approval of Mr. Dick Peddie's Bill. But he thought a very large number of those in favour of solving the question before the House in the way proposed in the Resolution disagreed with the details of Mr. Dick Peddie's Bill. He (Mr. Shiress Will) disagreed with the details of it. If such a Bill were again put before the constituencies of Scotland, while the great bulk of the people would approve of the general principle of the measure, yet they would be distinctly in favour of dealing in a more generous and gentle way with the great interests concerned in the matter. It was further said that they ought not to make this a Party question; but it was impossible to treat this great and important matter otherwise than as a Party question, although he admitted it was one that should be dealt with with extreme care and caution. Hon. Gentlemen opposite did not hold out any hope that they would join in settling the question, and if it was not to be treated as a Party question, he was at a loss to know how they could deal with the subject. His hon. Friend had said that there was not much enthusiasm on the subject, and that it had not been made a test subject at the last Election. That was correct up to a certain point, because, while in some constituencies it was not a test question, in others it distinctly was. Then his hon. Friend went on to show how he had defeated his Liberal opponent by being firm and consistent in the expression of his views on the Church. The Member for the Central Division of Glasgow had threatened the right hon. Member for Mid Lothan with the loss of many votes if he took up this question. The answer to that was, that at the end of 1885 the delegates from the Liberal Associations throughout the whole of Scotland met at Perth and came to the conclusion—

> "That the time had now come for making Disestablishment a plank in the Liberal platform, and that the question should be dealt with in a fair and generous spirit at the earliest opportunity."

But, he would remind the Gentlemen who had spoken on the other side of the House that the claim of other Churches in Scotland to the endowments now enjoyed by the Established Church could not be lightly passed over. What was the claim of the other two great Presbyterian Bodies in Scotland in regard to endowments? When the bodies now united under the name of the United Presbyterians left the Church of Scotland, they did so because they conscientiously believed that it was wrong to depend upon State connection and control. And when the Free Church in 1843 went out, it was also on the question of State control and the question of patronage. But when those Bodies went out, they still left behind them their claims on the national funds, which were being administered by the Body to which they had previously belonged. These funds contemplated the helping of the poor and the promotion of education, as well as the ministrations of religion. Therefore, it was but just and right that they should be allowed to urge the claim that those

national funds should now be utilized for the benefit of the whole community at large. That matter could only be settled in one way, and the sooner it was settled the better it would be for the peace and harmony of those different Bodies which were, after all, brethren, and the better also for the best interests of the country.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. J. P. B. ROBERTSON) (Bute) said, that the observations of the last speaker had accentuated the statement made in the early part of the debate that the proposition before the House related to the present time and not to any remote or indefinite period. But there had been a remarkable abstention on the part of hon. Gentlemen who had spoken on the opposite side from the discussion of the practical question raised by such a proposal, whether it was in the interests of popular utility in Scotland now that such a change as that should be carried out. The speech of the hon. Member for the College Division of Glasgow (Dr. Cameron) almost compelled comparison with some previous statements that had been made on the same subject and from the same quarter; and he thought that those who had heard that hon. Member that evening, and also those who had heard or read his former speeches, would agree with him that his speech that night was a more attenuated exposition of the subject than the House had ever yet listened to. The range of argument, and even illustration, had been greatly narrowed; and, positively, the question of Disestablishment had been treated merely on the footing of certain excrescences upon the existing Establishment, such as that of members of the Established Church having seats on Parochial Boards for the administration of the Poor Law. The hon. Gentleman had not discussed that subject at great length, perhaps, because he thought the House was so familiar with it; but if he deemed it right to propound so momentous a change as his Resolution contemplated, the House were entitled to measure the degree of urgency and the expediency of his proposals by the scale of the reasons he had assigned for them. One view of the question of Church Establishments was that the establishment of religion in any country was abnormal, and that it was not the province of the State to provide religious endowments, but that they should be left entirely to voluntary effort. If that were the proposition on which the hon. Gentleman invited the judgment of the House now, the debate would not range over more than one or two subjects of discussion. The hon. Gentleman had only to formulate his conscientious scruple and to find out how many Members in the House there were who shared it. But the matter in discussion was not and could not be limited to so very abstract and meagre a thesis. The subject necessarily led up to the question of whether the popular welfare and general good of Scotland were promoted by the Establishment which now existed; and it was impossible to disregard the various circumstances, historical and otherwise, which distinguished Scotland from other countries as far as that matter was concerned. The hon. Member had mentioned rather than argued the invidious position in which Establishment placed a Church. He could only say, if the hon. Gentleman took the instances he had given as mere illustrations of his arguments, that they might do away with the position of ministers of the Established Church at Parochial Boards, because the essence of the question of establishment did not lie in any accidental arrangement of that kind. It was, therefore, a mere *ad captandum* argument to introduce such a reference to the precedence of ministers of the Establishment in such a debate. When the hon. Member passed to the question of disendowment, there was not observable a much increased scale of liberality in his method of discussion. But he would glance at the arguments which the hon. Member had used, which were three in number. In the first place, the hon. Member said that the possession of endowments by the Church of Scotland was an injustice to the other Churches. Now, he could not himself understand or at all fathom what was meant by that. The endowments were held for the ministrations of religion in Scotland to as many people as they would enable the ministers to reach. Was it an injustice to other religious bodies that this Church should have money ready in hand while the other Churches had to go and search for it? [" Hear, hear!"] Yes; if it was merely a question of envy or personal jealousy.

But there was no injustice if the fact of there being those endowments meant merely an increment of spiritual means for the general welfare of the country; and it was because hon. Gentlemen persistently separated the question of personal *prestige* and jealousy of ministers from the question of the whole welfare of the people that the House had heard those unfortunate references to ignoble subjects of mere ecclesiastical and sectarian rivalry. The hon. Gentleman also objected to the endowments because they were unnecessary. Did he mean that the endowments were unnecessary in order to enable the aggregate body of ministers in the country to overtake the spiritual necessities of the people? If he did, the hon. Member would find the opposite asserted by all his clients in the Nonconformist Body. Then the hon. Gentleman asserted that disendowment would promote reunion. He confessed he was unable to see how the question of reunion entered into the question of disendowment. Did the hon. Gentleman believe that it would promote reunion to have less money as a basis for their common operations, or did it mean anything else than that they should make a sacrifice of the endowments to the envy of those who had not? The hon. Gentleman had made no substantive proposals as to the application of the funds set free by disendowment. He did not understand an argument on that subject which did not consider the relative advantages and disadvantages of the old use of that money and the new. They had a right to know, before they assented to the negative side of this proposition, what was the positive proposal. They were there to do their best for the people of Scotland. He asserted that the vast majority of the people of Scotland believed that the best use of the endowments which could be made was that which was made of them at present. But if anyone gainsaid that assertion he ought to be able to show where was the other object of popular utility of competing importance and necessity which was to absorb the endowments. Abstract discussions about Disestablishment and Disendowment revealed the fact that the main interest, which was that of the people, was being lost sight of in order that they might pursue the interests of ecclesiastical rivalry to the verge of caricature. In a question of this kind he did not defend the existence of Establishment and endowment in Scotland on any dilatory pleas, upon mere prescription, upon mere grounds of Conservatism. He took the positive and firmer position, and said that it would be an injustice to the Church to rest her claim to the continuance of present rights and endowments upon anything short of this. He asserted that the answer to the question, what is the mind of the people of Scotland upon this subject, was to be found in the history of the last 40 years. The right hon. Member for Mid Lothian (Mr. W. E. Gladstone), and those who acted with him in politics, had always been seeking for a sign. The right hon. Gentleman and his supporters were extremely anxious that the mind of the Scottish people should be made clear on the subject. Let them find the deliberate, growing, and emphatic preference of the people of Scotland during the last 40 years in the growing strength of the Established Church. It was in the historical development of national convictions during the last 40 years, and not in snap majorities, or in managed elections—it was there hon. Members would find the deliberate, permanent, and reliable voice of the people. Hon. Gentleman opposite had said nothing more about statistics on this question, except that they would not weary the patience of the House. There had been times when questions of Disestablishment had been raised, and when statistics were considered to be highly relative and germane to the subject. When they found that the statistics now proved the increasing strength of the Church in membership and in contributions, in its energy and aggressiveness against evil, then he thought that the Church of Scotland had a right to point to the voice of the people as distinguishing its claim to continue in the position assigned to her by the historical decision of the people, and also by the increasing loyalty of all classes. He would not dwell on the figures, because they were not controverted. Let them take any period they chose—10, 20, 30, or 40 years—the progress had been all one way. The Church of Scotland had been growing—that was the increasing testimony of history; and he said it, but not invidiously, that the relative strength of the denominations had been lessened. But another point had been raised. The

hon. Gentleman said that the Church of Scotland had brought this attack upon herself because she had adopted a policy of aggression. Yes; a policy of aggression, because every ecclesiastical Body which existed was aggressive. The Church of Scotland was aggressive if by that was meant that she sought to do away with limitations and asked for the relaxation of privileges and rights which might trench upon the scope of her activity. And here he found a proof that the objection of hon. Gentlemen to the Established Church of Scotland was that the tide was rising on her side, and that they must make haste or they would be too late. If the policy of the Church of Scotland had been directed to an increase of privileges, or if it had been a policy of inertness, then he could understand this attack. But her policy had been the exact reverse. She did not ask for an increase of privileges. She asked for power to do away with abuses, and for means to set forth her own claims as tested by the voice of her own people. Therefore, he could not assent to the view that the measures proposed from the other side were proper methods of retaliation upon the aggressiveness of the dominant Church. The Church of Scotland had endeavoured to fulfil the duties which a State Church had necessarily to discharge. The hon. Member referred to the Bill of the hon. and learned Member for Inverness (Mr. Finlay). That Bill was a testimony to the desire of the Church to do away with all causes of division, and to bring within her borders those who historically belonged to her. It was impossible to discuss this subject without referring to the speeches of the hon. Member for East Aberdeenshire (Mr. Esslemont) and the hon. Member for the Montrose Burghs (Mr. Shiress Will), and what they called the political side of this question. That was a side with which the right hon. Member for the Bridgeton Division of Glasgow (Sir George Trevelyan) was not completely unacquainted. He could not have desired a greater piece of political good fortune than to have seen enacted on the floor of that House the little comedy at the close of the speech of the hon. Member for the College Division of Glasgow. The hon. Member closed his speech by saying that the right hon. Member for Mid Lothian had at Nottingham made certain statements which encouraged the belief that there was an open offer for certain support, and the hon. Member proceeded to address his Leader or those who represented him in this debate, and to ask for some practical proof of his Leader's sincerity. A wicked world said that such things were generally done; but they were not generally done on the floor of the House of Commons. It was the height of cynicism, even in an ecclesiastical discussion, for the hon. Gentleman to hold up the Church of Scotland in view of the people of Scotland, and propose to make terms with the right hon. Gentleman as to political support. The right hon. Member for Bridgeton was going to speak, perhaps to reply, to the offer of political support. He should like to know if the right hon. Gentleman was going to close with it. Might he put it otherwise, and ask, could the right hon. Gentleman repudiate it; and was it not eminently suggestive that the hon. Member for the College Division, and others who had spoken on the opposite side, had most deliberately objected to the fusion and identification of this question with some other questions which had recently been in somewhat labouring circumstances. He hoped the people of Scotland would take notes of the tone of this discussion as taken by its promoters—that they would notice that on the other side of the House this question had never been discussed in their interest, but that it had been discussed in the interest, on the one hand, of rival sects, and, on the other, of aspiring and enterprising politicians.

Sir GEORGE TREVELYAN (Glasgow, Bridgeton) said that the Solicitor General for Scotland had concluded with some remarks on what he called the political side of the question. The hon. and learned Gentleman referred to the sentences in which the hon. Member for the College Division closed a speech which, down to these sentences, was a truly admirable one, and very glad he was that these sentences, in which, perhaps, he might find something to take exception, were addressed to a Bench upon which the first man who was going to rise was himself. The hon. and learned Gentleman spoke of some of them as looking for a sign. The hon. and learned Gentleman could

know very little about his political history. Some 18 years ago, when he was a young and poor man, the Government brought in a measure which he conceived to be inconsistent with the principles of religious equality. He resigned Office, and, as he thought, sacrificed his political prospects. In 1885—he might appeal on this matter to his hon. Friend the Member for Roxburghshire (Mr. A. R. D. Elliot), who a moment ago was sitting behind him—before the Election, the Presbytery of Jedburgh addressed a menacing letter to both of them, requiring them not to vote for the Disestablishment of the Church if the question was raised next Session. He told the Presbytery that he was always in favour of Disestablishment and Disendowment, and would vote for it if the question was brought forward. Coming to later times, but times still anterior to those to which reference had been made, the hon. and learned Member for the Inverness Burghs (Mr. Finlay) had brought in a Bill which went to the root of the question of Disestablishment; and, as a Member of the Government of the right hon. Gentleman the Member for Mid Lothian, he had himself made a strong Disestablishment and Disendowment speech in answer to that Bill; and not only that, but he and his right hon. Friend beside him had voted for the exact Motion which had been brought forward that evening, before any of the events to which the hon. and learned Member had referred. He agreed with that part of the speech of the hon. Member for the Central Division of Glasgow (Mr. Baird)—which had not descended to these topics—in which he had hoped that that debate would not be obscured by any side question, as was the case in the constituencies. As far as he himself was concerned, it would not be so obscured; he would go straight to the point. The hon. Member for South Lanarkshire (Mr. Hozier) had told them that they must prove all things. He did not know that the hon. Member had proved much; but, for his own part, he would undertake to say nothing of which he would not give proof; he would go to the centre of the question, and every word he would say should bear on the question of Disestablishment and Disendowment from the point of view of the highest interests and duty of Scotland. He must congratulate his hon. Friend on having come first that evening. It was very important that they should have a debate, and still more that they should have a Division. He was very anxious to bring this question to the test, both as a Liberal and as a Scotch Member. The Solicitor General for Scotland asked them to say why they were in favour of Disestablishment. As Liberals, they held that State connection was a bad thing; they considered that it fettered and narrowed the Church which was within its influence, and that it depressed and was unfair to the Churches outside of it. They held that it had the deleterious effect of all privilege, ecclesiastical and political; and they held, above all, that the public religious endowments of a nation should not be given for the benefit of one religious body within that nation, but should be applied to uses which should benefit and meet the conscientious wishes of the whole community. He was not ashamed, as a Scotchman, to say that he was very anxious to have this debate. He thought that there was a good deal of sense in what had been said by the noble Lord the Member for Rossendale (the Marquess of Hartington) and the right hon. Gentleman the Member for Mid Lothian, that this question of the existence of an Established Church should largely be governed by the preponderating opinions of the people in the district and in the country in which that Established Church existed; and he understood that that was the opinion of some of the opponents of the hon. Member. The hon. Member for the St. Andrew's Burghs (Mr. Anstruther) had brought forward an Amendment, in which he said that there was no demand on the part of the people of Scotland for the severance of the relations between their Church and the State. The hon. Member for the St. Rollox Division of Glasgow (Mr. Caldwell) also brought forward an Amendment, in which he declined to adopt the Resolution until the people of Scotland should first, in some constitutional or authoritative manner, have distinctly signified their desire for such Disestablishment or Disendowment. Now, he was utterly unable to conceive in what constitutional and authoritative manner the people of Scotland could signify such desire except through

the mouth of their Parliamentary Representatives; and if the majority of the Representatives for Scotland decided against them to-night, he should be none the less glad that they had brought this matter to the test. It showed that they were not afraid of their views, and it led the country to look upon the question as a practical one. It was a question which the House could not leave alone, and which it never did leave alone. From both sides of the House Resolutions and Bills relating to the Church of Scotland were constantly being brought forward, and he ventured to say that in the course of the next 20 or 30 years the time of Parliament—if that were the only consideration—would be saved if this Resolution were adopted and the proposals contained in it carried into law. The reason of that was that the abuses of the Church of Scotland were so palpable and so great that Bills were constantly being brought forward to deal with them. These Bills were brought forward by the friends of the Church for the purpose of diminishing the invidiousness of its privileges. In 1874 they had had from the defenders of the Established Church an Act for abolishing patronage. Taken by itself there was nothing objectionable in that Act; but when they took it in connection with the fact that there were other large Presbyterian Bodies in that country, he ventured to say that the Church had no right—as long as it insisted upon keeping up State connection and keeping all its endowments—to continue to enjoy those material advantages, and at the same time to ask for the spiritual advantages which the other Churches had gained by sacrificing everything. Then the hon. and learned Member for Inverness had, two years ago, brought forward a Bill for declaring the constitution of the Church of Scotland. In that Bill he had asked them to set the Church free from State control. Now, this freedom from State control was the only thing that the other Churches had which compensated them for being without endowment and State connection, and it was this purpose and this spirit which had brought this question to the present stage. They could not expect these great voluntary Churches to sit quietly by while Bills were brought in for the purpose of taking away their adherents one by one—[*Ministerial cries of* "Oh!"]—certainly that was the object of them; what other object was there?—and leaving the ministers of the Churches high and dry, isolated and deserted, with all the immense material and educational and religious interest which were in their hands. It had been because they were threatened in such a manner with gradual extinction that these great voluntary Bodies had come forward. Since then all the denominations outside the Established Church had distinctly declared that if it wanted to have the same advantages as they possessed it must seek them in the same manner by giving up its connection with the State. He had already stated that it was important to get the votes of the Scotch Members on this question. But it was also important to get the votes of English Members. He should like to say a few words to English Members from the point of view of an Englishman, who had been a Scotch Member for a number of years, and who, as an Englishman, brought originally to the consideration of the question a certain freshness of view. English Members were, perhaps, not aware of the fact that the privileges of the Established Church in Scotland were much greater than those of the Established Church in England. In England the income of poor benefices was increased out of Church funds, but in Scotland the income was made up out of Imperial taxes. ["No, no!"] That fact, at any rate, could not be denied. There was annually paid out of the Exchequer to make up Scotch livings as much as £17,000. He had before him some figures with regard to a number of parishes all in one county, Ross and Cromarty, which threw a remarkable light on the statement of the Solicitor General for Scotland as to the increase of membership in the Established Church. In Kinlochlaidart there were 632 people and 15 communicants of the Church of Scotland; in Knock, 2,990 people and four communicants; in Poolewe, 2,317 people and 25 communicants; in Uttapool, 2,573 people and 17 communicants; and in Cross, which had 2,795 people, and Barvas, which had 2,600 people, there were five communicants between them. And the Solicitor General for Scotland told them that the Church of Scotland was making a great

advance all over the country, and embracing within its fold the great mass of the people! To each of these parishes there was paid out of the Exchequer £120 a-year. Both Parties in the House were at the present time looking in every direction to see where economies could be made. Here was a case in which a large number of ministers were being paid out of State funds who were doing nothing and for whom there was nothing to do. It was a great abuse. In Ireland it was a serious thing when there were parishes in which the clergyman only had a congregation of three or four persons; but in that case the clergyman was not paid out of the taxpayers' money as in Scotland now. Such payments out of the Exchequer for sectarian purposes, and under the circumstances he had mentioned, would, in the case of lay services, be regarded as an indefensible job. But this was not the only privilege enjoyed by the Church of Scotland which the Church of England was without. Church rates had been abolished in England; but in Scotland £50,000 a-year was raised from persons of all denominations for the repair and rebuilding of churches and manses of the Established Church. The smaller heritors were exempted; but this was really a great injustice to the larger heritors. If this was an inalienable obligation, then the poor should pay it as well as the rich. If it was not, it ought to be swept away altogether. Besides these grants from the Exchequer and these payments towards the repair and maintenance of churches and manses, which were in the nature of Church rates, large payments were also made out of the pockets of the ratepayers. In many large towns in Scotland it was the ratepayers, who were generally voluntaries, who had to bear the expense of the worship of the Established Church. In Glasgow, £5,000 a-year was paid out of the Corporation funds—funds which, if not paid for this purpose, would go to the relief of the ratepayer—for the services of the Established Church. As a set-off against that, there were the pew rents; but it was a most remarkable comment on the Solicitor General's observation that, while they were embracing large numbers into the fold, those pew rents were steadily diminishing. In Edinburgh the payments could not fall short of £6,000 or £7,000 a-year; but he did not, of course, maintain that those payments were made at present out of taxes levied—though they were so paid in a certain part, but in another large part they were the produce of taxes previously levied and capitalized. In Aberdeen £1,100 or £1,200 a-year was paid out of the Corporation fund, and, in proportion, a like sum in the case of Dundee, Perth, and Stirling. He was certain it was in the interest of the Church, owing to the dissatisfaction such a charge created, that it ought to be abolished. Then there was the anomaly of Established Church ministers sitting *ex officio* along with members of their Kirk Session upon Parochial Boards which had the power of levying taxes. If there was ever a Body which ought to be elective and neutral, surely it was the Parochial Boards; and while ministers of the Established Church had this privilege, they were themselves exempt from taxation. Again, what could be more indefensible and offensive than the tests applied to University Professors? Eighty per cent of Scotland was Presbyterian; but still, in the great Presbyterian Bodies, the Professors were taken exclusively from the Established Church. But that was not all. All the Professors of Greek, Latin, and Natural Science were obliged to swear that they would not exercise their functions to the prejudice or subversion of the Established Church. Now, there they had disabilities which long ago had been abolished by Parliament in the English Universities. This system led to this anomaly—that eminent men from Oxford and Cambridge who crossed the Border had to take this theological test, which was worthy of the Middle Ages. The only defence that he had heard of such a system was that the Church was the Church of the nation; that it was all but the universal Church. But it was not a universal Church. It was far from it. The Presbyterians were 80 per cent; but the Established Church was considerably less than 50 per cent of the Presbyterian Body. ["No!"] The only way in which they would arrive at this was to take a count of the Representatives who voted in Parliament. Now, the Free Church and the United Presbyterian Church between them had 100 places of worship more than the Established Church; and it must be re-

membered that these churches were built because they were wanted. Well, but it was said the Established Church was kept up for the sake of the poor. But was that correct? The poorest of the poor were to be found in Lewis; and what were the statistics of the Established Church in that island? The population of the parish of Barvas was 2,700, the Established Church had 5 communicants; Stornoway had 7,399 people and 11 communicants; Uig, 3,490 people and 49 communicants; Harris, 4,360 people and 26 communicants; Lochs, 6,284 people and 7 communicants; so that out of 23,500 inhabitants in Lewis, 23,000 were adherents of the Free Church, and what it was in Lewis, though in somewhat less proportion, it was all over the Highlands. It was said that there were 356 rural parishes in which there were neither United Presbyterian nor Free Church places of worship; but many of them were very small parishes, and their populations attended Free and United churches in adjoining parishes, just as in a parish he was familiar with in Northumberland the majority of the people were Methodists or Presbyterians and went to buildings outside the parish. And, no doubt, there were in Scotland parishes in which there were no members of voluntary Churches, just as in other parishes there were no members of the Established Church. When it was asked how the Established Church was to meet the needs of the poor parishes, he replied, in the same way that the Free Church had met the spiritual needs of Lewis. No Scotchman would fail to find the means to worship in the church to which his inclination and his conscience led him; and it was a libel on the members of the Established Church to suggest that they would be less generous than the members of the voluntary Churches. The United and the Free Churches had raised between them in the course of the year nearly £1,000,000. That proved that either their adherents were more numerous than they were admitted to be, or else that having to pay for their own worship made them exceptionally generous and public-spirited. But he would never argue this question as one of privilege or of money if Disestablishment were opposed to the highest interests of the Established Church; but to set it free from State control, to throw it on its own resources like its Sister Churches, and, above all, to relieve it from the task of fighting for privileges, were the truest services you could render it. When he was a very young man he came to the conclusion that there was no nobler training for the great mass of working people than the exercise of the public spirit and self-denial which were required for the maintenance of their religion. It was no wrong to demand from the Established Church the same efforts, labours, and sacrifices which had been spontaneously made by the voluntary Churches; but it was a great wrong to allow the public endowments of a great country to be monopolized for the benefit of one religious body, instead of being applied to the general, public unsectarian needs of the entire community.

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON) (Manchester, E.) said, that the right hon. Gentleman had indulged in some interesting personal reminiscences; but it was not apparent why he had done so.

SIR GEORGE TREVELYAN said, it was because he was charged with taking up this question on political ground.

SIR JAMES FERGUSSON said, it was not certainly his business to question the right hon. Gentleman's consistency; but the hon. Member for the College Division had referred to the unholy connection that had been established between political and ecclesiastical questions in a sense which must touch the right hon. Gentleman rather nearly. He was quite content to accept the statement of the right hon. Gentleman that he had been a consistent advocate of Disestablishment, and that he repudiated the bargain of supporting it for the sake of gaining adhesions to Home Rule, and he was glad that the question had been placed on the broad grounds of the maintenance or abolition of the Established Church, because it would lead the House to understand what was the ultimate tendency of the Motion now before it. The right hon. Baronet said he was anxious to bring this question to the test. They on the Government side had not raised it; but they should not shrink from the test. This question of Disestablishment had been dragged into a prominence for which there was no

occasion. The Church of Scotland was doing its work steadily and carefully, and was annually making large additions to the number of its members, and consequently there had been no reason, on account of its failure in efficiency, to bring this question before the House of Commons. The right hon. Gentleman had shown a certain amount of inaccuracy in his allegations. He said that in England, for example, the statement of the right hon. Gentleman that the grant of £17,000 a-year in aid of the poorer parishes in the Highlands was taken out of the taxes of the people was absolutely without foundation. It was a historical fact that since the Reformation a certain portion of the teinds, the patrimony of the Church, had formed part of the hereditary revenues of the Crown; and it was but a small portion of these that was annually granted in aid of those poor parishes in which there were no unexhausted teinds to call up in supplement of the inadequate stipends. Was it possible that the right hon. Gentleman was ignorant of that? For a long period the Established Church of Scotland had made great efforts to meet the wants of the growing population. Within the last 40 years it had established 350 new parishes in order to meet the religious requirements of an increasing population. Since 1834 the numbers of the members of the Church in Scotland had largely increased, and in no sense had that Church fallen back. The right hon. Gentleman had said that the connection with the State imposed fetters on the Church. In that year, by a wise measure, Parliament had removed from the Church the fetters, and made amends for the injuries of former legislation. It was owing to the enactment of lay patronage, alien to the feelings of the people of Scotland, at the beginning of the last century, and to the failure of the Government of the day to appreciate the gravity of the crisis, that the Church had lost so many of its people. Was the Church to be debarred from renewing its attempts to be freed from the burdens which had so long oppressed it, and against which it had so long struggled? And how was it an offence against those who had left the Church on account of those burdens that its efforts were at last successful? The abolition of lay patronage and the attempts which had since been made to obtain for the emancipated Church the declaration by law of an ancient principle, cannot justly be called aggression; they are symptoms of true liberality in throwing wide the doors for the re-entry of those who never, but for the mistakes of statesmen, would have been separated. The right hon. Gentleman had referred to-night to the recent debate upon ecclesiastical assessments, with regard to which it seemed to him (Sir James Fergusson) the other night that he was rather hazy; and he alleged the inconsistency of their maintenance as a legal obligation when compulsory Church rates had been abolished in England. But he forgot, or he was strangely ignorant, that the landed proprietors of Scotland still retained the enjoyment of an income from the unexhausted teinds, much larger than the annual charge of about £40,000 or £50,000, for the maintenance of the ecclesiastical fabrics. And if the ecclesiastical assessments fell upon them alone, as it was maintained they should, it would be impossible to allege in that a well-founded grievance. Again, he called it an injustice that the City of Glasgow should be obliged, out of its common good, to supplement a deficiency in the income from seat rents. Was it possible, he (Sir James Fergusson) asked again, that he did not know that a portion of the teinds were assigned to the city on condition of its maintaining certain churches, and the same obligation existed in certain other towns? He was, indeed, unable to accept the falling-off in the seat rents of certain churches as a proof of the defects of the ministrations. It was the effect of a change in the character of the resident population, the wealthy having, in some cases, moved elsewhere and erected new churches for their own accommodation. Nor, he trusted, would they admit the exaction of seat rents as a wholesome feature in Church management. He wondered to hear the right hon. Gentleman rake up again the buried controversy of Church Endowments in Edinburgh. Some of them were old enough to remember the long contest about the Annuity Tax there, and the settlement of the matter by a legislative compromise not too liberal to the Church. As to what the right hon. Gentleman called the unfair representation on the Parochial Board, and the presence of the parish minister as its Chair-

man, he (Sir James Fergusson) would remind the House that before the institution of the new Poor Law the Kirk Session was the only authority by which the poor was relieved; it was not, therefore, surprising that in the newly constituted Body the Chairman of the Kirk Session, who by his office was brought so much into contact with the poor, should have a place. A small matter, indeed, to call for Disestablishment! The true defence of the Church as a National Institution was that it was the religious embodiment of the nation; and in the National Church of Scotland was found an organization altogether in harmony in its confession and in its character with the genius and instincts of the Scottish people. That Church had never used its privileges for selfish purposes. Had it done so, there might have been some reason for the House passing a Vote of Censure upon it. But as it had always done its best for the spiritual welfare of the community, he saw no reason for condemning it in the way indicated by the Resolution moved by the hon. Member. In those circumstances, was it reasonable to withdraw from it the means of meeting the wants of the poor and of giving free ministration to all the people of the country, and of accomplishing the purpose for which it existed? The right hon. Gentleman made much of the fact that in the Highlands and Islands the people largely belonged to the Free Church. That was true, because there they had strongly resented the intrusion of unacceptable ministers; but in the Highlands this proposal for Disestablishment had met with no support, while in Mid Lothian itself, a county which had given such pledges to Liberation, when the question was put to the test, 69 per cent of the electors had voted in favour of the retention of the Establishment. He ventured to think that no case had been made out for Disestablishment, and he trusted that the result of the Division would show such an advance on that of 1886 as would utterly frustrate the views of the hon. Member for the College Division of Glasgow.

MR. H. ANSTRUTHER (St. Andrew's, &c.) said, he wished particularly to avoid bringing the question down to the level of political controversy. He could not congratulate the right hon. Member for the Bridgeton Division of Glasgow on the spirit which he had brought to bear on this discussion of a question which deeply concerned the people of Scotland, and which they were prepared to consider on its merits. If that was the spirit that Englishmen who sat for Scottish constituencies, as the right hon. Baronet described himself, were prepared to bring to bear on this question, then he would rather the discussion were confined to Scotchmen sitting for Scotch seats. He would rather treat the question they were dealing with upon its merits, and the Church as an institution doing good in the country to which he belonged. It had not, he submitted, been proved by the hon. Member, in bringing forward this Motion, either that the Church of Scotland was in the minority, or that she had failed to fulfil the sacred trust imposed upon her by the people of Scotland. Nor had it been proved that the connection of the Church with the State was detrimental either to one or the other; and, lastly, he took this point—that it had not been proved that there was any large demand upon the part of the people of Scotland for the change advocated by the hon. Member for the College Division. Hon. Members from Scottish constituencies who had followed closely the course of events in Scotland in 1885 would bear him out in the assertion that every expression of opinion of the people from every part of the country had been against the proposal for Disestablishment and Disendowment. [*Opposition cries of* "No!"] A vast majority had indicated that as their opinion, and in Mid Lothian nearly two-thirds of the registered electors of that constituency petitioned against Disestablishment. Consequently, they were told by the right hon. Member for Mid Lothiaan that Disestablishment was not to be made a test question at the General Election, and he did not believe it was a test question except in a very few instances. He wished specially to draw the attention of the House to the point which he had given expression to in the Amendment which, by the Rules of the House, he was precluded from moving—it was that there was no substantial demand on the part of the people of Scotland for this change. This was proved by the statistics which the supporters of the National Church had placed before the House, and he trusted the House would reject the Motion by as substantial a majority as it had done on previous occasions. The Church of Scotland had

nothing to apologize for in the past, and nothing to be ashamed of. The members of the Church of Scotland only wanted to live in peace and go on with their good work; but if attacks of this kind were to be made on the Establishment and Endowment, there were many Members on his side of the House, and also, no doubt, a large number of Members on the other side, who were prepared to resist them; and, moreover, they would be able to prove to their opponents that they would be able to rally to their side a large number of the people of Scotland.

MR. MARJORIBANKS (Berwickshire) said, he rose to explain the vote he was going to give. The last two speakers had endeavoured rather to prove that the Church of Scotland was doing a good work than to show that it was doing that good work in such a peculiar and exclusive manner that to it alone should be granted State endowment and support. That was the point on which the House would divide that night. No one denied the good work the Church of Scotland was doing. On the contrary, many held that it had a great future before it, and that that future would be enhanced by the withdrawal of State support. It seemed to him that when there were three Presbyterian Churches in Scotland, all having the same form of Church government, all holding exactly the same creed and using the same Service, it was an anomaly that to one alone State support should be granted. The hon. Baronet opposite said that two years ago he (Mr. Marjoribanks) voted in exactly the opposite sense to that in which he was going to vote that night. He admitted that, and he would tell the House the reason. At the Election of 1885 he especially and particularly reserved this subject when he asked his constituents to return him again as their Member. He then distinctly stated that he would not, during the Parliament elected in 1885, vote in support of a Motion for the Disestablishment of the Church of Scotland without putting the question to his constituents; but with the Parliament of 1885 that pledge fell to the ground. [*A laugh.*] Hon. Members opposite seemed to insinuate by their laughter that when they made pledges they kept them for ever. How about coercion in Ireland? He repeated that with the Parliament of 1885 that pledge fell to the ground, and he was elected to the present Parliament without any pledge on the question. The reason he gave the pledge at all was that he had hoped that there might be one great Presbyterian Church, endowed and supported by the State, which would combine all the Churches in Scotland. He believed, however, that was a foolish dream, and it was because he believed that the only chance for the union of the three Churches was the Disestablishment and Disendowment of the Church of Scotland that he intended to support the Motion.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): The right hon. Gentleman who has just sat down need not have taken up the time of the House by accounting for his giving a different vote now from that which he gave in 1885. It is not such an exceptional case on that side as to make it worth his while. The question of Disestablishment is not the only question on which pledges have been given and broken. When the right hon. Gentleman twits hon. Members on this side of the House on the course which they have taken in reference to Ireland he forgets altogether that the circumstances surrounding the question may have changed; but he cannot point to any circumstances which have arisen in connection with the Church of Scotland between 1885 and the present day to justify his change of opinion upon that subject. I presume that when he voted for the Establishment in 1886 he did so because his constituents desired that he should do so. What has happened since to make him and his constituents alter their mind? I presume that the hon. Member for the College Division thinks that this question is ripe for a decision, and the right hon. Member for Mid Lothian said that it was at Nottingham. Surely if that is so, this is a question upon which the House ought to have the best advice that can be given by the Leaders on both sides. Now, I want to know where are the Leaders of the Party opposite? Why has the right hon. Gentleman the Member for Derby (Sir William Harcourt) taken a back seat? Where is the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), who is a Scotch Member and the Leader of the

thought on the other side; surely he was the proper person to guide the Liberal Party, and, if he could, the House to a proper decision on this question. The hon. Member for the College Division professes to believe that the storm is rising. I think, however, he must have been disappointed with the tone of this debate. Surely if the storm was rising the stormy petrel would be here. The right hon. Member for Mid Lothian, when in Office in 1886, was able to speak some kindly and hopeful words in regard to the hon. Member's Motion; but now that he is in Opposition, in a position "of greater freedom and less responsibility," he does not think it worth while to come here to support the hon. Member, or even to say that he stands in the same position towards this question as he did in 1886. He can fly those kites at Nottingham, but we want him to come here to tell us whether it is the policy of the Liberal Party that there ought to be no connection between Church and State anywhere in the United Kingdom. The right hon. Member for the Bridgeton Division is the only Member who has had the honesty in this debate to put this issue clearly before the House. Everybody knows that there are Gentlemen sitting on the opposite side of the House who care nothing about the Church of Scotland and know nothing about it, who take no interest either in its success or failure, but whose sole object is to use this question as a stalking-horse in their endeavours for the destruction of the Established Church in England. There is no enthusiasm save the enthusiasm which is worked up outside Scotland by the Liberation Society, who do not care one rap about the Church of Scotland. I shall not enter into the general question after the very able speech of my hon. and learned Friend near me, who put the matter upon a sound and intelligible basis. The right hon. Gentleman the Member for the Bridgeton Division has referred to paltry sums, amounting in all to £25,000 at the most out of £500,000, and which, he says, are paid to the Established Church of Scotland out of the Exchequer. The right hon. Gentleman is not accurate in his facts, and he affords another instance of English Gentlemen who come to represent Scotch constituencies, but who take very little trouble to inform themselves on matters on which they speak, and indulge in denunciations not based on facts but on their own imagination.

Question put.

The House *divided*:—Ayes 260; Noes 208: Majority 52.

AYES.

Addison, J. E. W.
Agg-Gardner, J. T.
Ainslie, W. G.
Allsopp, hon. G.
Ambrose, W.
Amherst, W. A. T.
Anstruther, Colonel R. H. L.
Anstruther, H. T.
Ashmead-Bartlett, E.
Bailey, Sir J. R.
Balfour, rt. hon. A. J.
Barclay, J. W.
Baring, T. C.
Barry, A. H. S.
Barttelot, Sir W. B.
Bates, Sir E.
Bazley-White, J.
Beach, right hon. Sir M. E. Hicks-
Beach, W. W. B.
Beadel, W. J.
Beckett, E. W.
Bentinck, rt. hn. G. C.
Bentinck, Lord H. C.
Bentinck, W. G. C.
Beresford, Lord C. W. de la Poer
Bethell, Commander G. R.
Birkbeck, Sir E.
Blundell, Col. H. B. H.
Boord, T. W.
Borthwick, Sir A.
Brodrick, hon. W. St. J. F.
Bruce, Lord H.
Caldwell, J.
Campbell, Sir A.
Campbell, J. A.
Carmarthen, Marq. of
Cavendish, Lord E.
Chaplin, right hon. H.
Charrington, S.
Churchill, rt. hn. Lord R. H. S.
Clarke, Sir E. G.
Cochrane-Baillie, hon. C. W. A. N.
Coddington, W.
Coghill, D. H.
Compton, F.
Cooke, C. W. R.
Corbett, J.
Corry, Sir J. P.
Cotton, Capt. E. T. D.
Cranborne, Viscount
Cross, H. S.
Cubitt, right hon. G.
Currie, Sir D.
Curzon, Viscount
Curzon, hon. G. N.
Dalrymple, Sir C.
Darling, C. J.
Davenport, H. T.
Dawnay, Colonel hon. L. P.
De Cobain, E. S. W.
De Worms, Baron H.
Dimsdale, Baron R.
Dixon-Hartland, F. D.
Donkin, R. S.
Dorington, Sir J. E.
Douglas, A. Akers-
Dugdale, J. S.
Duncan, Colonel F.
Duncombe, A.
Dyke, right hon. Sir W. H.
Ebrington, Viscount
Edwards-Moss, T. C.
Egerton, hon. A. J. F.
Egerton, hon. A. de T.
Elcho, Lord
Elliot, Sir G.
Ewart, Sir W.
Ewing, Sir A. O.
Farquharson, H. R.
Feilden, Lt.-Gen. R. J.
Fellowes, A. E.
Fergusson, right hon. Sir J.
Field, Admiral E.
Fielden, T.
Finch, G. H.
Finlay, R. B.
Fisher, W. H.
Fitzwilliam, hon. W. H. W.
Fitzwilliam, hon. W. J. W.
Fitz-Wygram, General Sir F. W.
Folkestone, right hon. Viscount
Forwood, A. B.
Fowler, Sir R. N.
Fraser, General C. C.
Fulton, J. F.
Gardner, R. Richardson-
Gathorne-Hardy, hon. A. E.
Giles, A.
Gilliat, J. S.
Godson, A. F.
Goldsworthy, Major General W. T.
Gorst, Sir J. E.
Goschen, rt. hon. G. J.
Granby, Marquess of
Gray, C. W.

Green, Sir E.
Grimston, Viscount
Grotrian, F. B.
Gunter, Colonel R.
Hall, C.
Halsey, T. F.
Hambro, Col. C. J. T.
Hamilton, right hon. Lord G. F.
Hamilton, Lord C. J.
Hamilton, Col. C. E.
Hamley, Gen. Sir E. B.
Hanbury, R. W.
Hankey, F. A.
Hardcastle, E.
Havelock - Allan, Sir H. M.
Heathcote, Capt. J. H. Edwards-
Heaton, J. H.
Herbert, hon. S.
Hermon-Hodge, R. T.
Hervey, Lord F.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hill, A. S.
Hoare, E. B.
Holloway, G.
Hornby, W. H.
Houldsworth, Sir W. H.
Howard, J.
Howorth, H. H.
Hughes - Hallett, Col. F. C.
Hulse, E. H.
Hunt, F. S.
Hunter, Sir W. G.
Isaacson, F. W.
Jackson, W. L.
Jardine, Sir R.
Jeffreys, A. F.
Jennings, L. J.
Johnston, W.
Kelly, J. R.
Kennaway, Sir J. H.
Kenyon, hon. G. T.
Kenyon - Slaney, Col. W.
Kerans, F. H.
King, H. S.
Knightley, Sir R.
Knowles, L.
Lafone, A.
Lambert, C.
Laurie, Colonel R. P.
Lawrance, J. C.
Lawrence, W. F.
Lechmere, Sir E. A. H.
Lees, E.
Legh, T. W.
Leighton, S.
Lennox, Lord W. C. Gordon-
Llewellyn, E. H.
Long, W. H.
Lowther, hon. W.
Lowther, J. W.
Macdonald, rt. hon. J. H. A.
Mackintosh, C. F.
Maclean, J. M.
Maclure, J. W.
M'Calmont, Captain J.
Madden, D. H.
Makins, Colonel W. T.
Malcolm, Col. J. W.
Mallock, R.
Maple, J. B.
Marriott, rt. hon. Sir W. T.
Matthews, rt. hon. H.
Mattinson, M. W.
Maxwell, Sir H. E.
Mildmay, F. B.
Mills, hon. C. W.
Milvain, T.
More, R. J.
Morgan, hon. F.
Moss, R.
Mount, W. G.
Mowbray, rt. hon. Sir J. R.
Mowbray, R. G. C.
Mulholland, H. L.
Muncaster, Lord
Murdoch, C. T.
Newark, Viscount
Noble, W.
Northcote, hon. Sir H. S.
Norton, R.
O'Neill, hon. R. T.
Paget, Sir R. H.
Parker, hon. F.
Pearce, Sir W.
Pelly, Sir L.
Penton, Captain F. T.
Plunket, rt. hon. D. R.
Plunkett, hon. J. W.
Powell, F. S.
Puleston, Sir J. H.
Raikes, rt. hon. H. C.
Rankin, J.
Rasch, Major F. C.
Reed, H. B.
Richardson, T.
Ridley, Sir M. W.
Ritchie, rt. hn. C. T.
Robertson, Sir W. T.
Robertson, J. P. B.
Robinson, B.
Ross, A. H.
Round, J.
Russell, Sir G.
Russell, T. W.
Saunderson, Col. E. J.
Shaw-Stewart, M. H.
Sidebotham, J. W.
Sidebottom, T. H.
Sidebottom, W.
Smith, right hon. W. H.
Smith, A.
Spencer, J. E.
Stanhope, rt. hon. E.
Stanley, E. J.
Stephens, H. C.
Stewart, M. J.
Stokes, G. G.
Swetenham, E.
Talbot, J. G.
Tapling, T. K
Temple, Sir R.
Theobald, J.
Thorburn, W.
Tollemache, H. J.
Tomlinson, W. E. M.
Townsend, F.
Trotter, Colonel H. J.
Vincent, C. E. H.
Walrond, Col. W. H.
Walsh, hon. A. H. J.
Webster, Sir R. E.
Webster, R. G.
Weymouth, Viscount
Whitley, E.
Whitmore, C. A.
Wilson, Sir S.
Winn, hon. R.
Wodehouse, E. R.
Wolmer, Viscount
Wood, N.
Wortley, C. B. Stuart-
Wright, H. S.
Wroughton, P.
Young, C. E. B.

TELLERS.

Baird, J. G. A.
Hozier, J. H. C.

NOES.

Abraham, W. (Glam.)
Abraham, W. (Limerick, W.)
Acland, A. H. D.
Allison, R. A.
Anderson, C. H.
Asher, A.
Asquith, H. H.
Atherley-Jones, L.
Austin, J.
Balfour, rt. hon. J. B.
Barbour, W. B.
Barran, J.
Barry, J.
Bass, H.
Beaumont, H. F.
Bickford-Smith, W.
Biggar, J. G.
Bolton, J. C.
Bradlaugh, C.
Bright, W. L.
Brown, A. L.
Bruce, hon. R. P.
Brunner, J. T.
Bryce, J.
Buchanan, T. R.
Burt, T.
Buxton, S. C.
Byrne, G. M.
Caine, W. S.
Cameron, J. M.
Campbell, Sir G.
Campbell-Bannerman, right hon. H.
Carew, J. L.
Causton, R. K.
Chamberlain, rt. hn. J.
Chance, P. A.
Clancy, J. J.
Clark, Dr. G. B.
Cobb, H. P.
Commins, A.
Conway, M.
Conybeare, C. A. V
Corbet, W. J.
Corbett, A. C.
Cossham, H.
Cox, J. R.
Cozens-Hardy, H. H.
Craig, J.
Craven, J.
Crawford, D.
Cremer, W. R.
Crilly, D.
Crossley, E.
Davies, W.
Deasy, J.
Dickson, T. A.
Dillwyn, L. L.
Ellis, T. E.
Esmonde, Sir T. H. G.
Evans, F. H.
Evershed, S.
Farquharson, Dr. R.
Fenwick, C.
Ferguson, R. C. Munro-
Finucane, J.
Firth, J. F. B.
Flower, C.
Flynn, J. C.
Foley, P. J.
Foster, Sir W. B.
Fox, Dr. J. F.
Fry, T.
Fuller, G. P.
Gaskell, C. G. Milnes-
Gilhooly, J.
Gill, T. P.
Gladstone, H. J.
Gourley, E. T.
Graham, R. C.
Grey, Sir E.
Gully, W. C.
Haldane, R. B.
Hanbury-Tracy, hon. F. S. A.
Harcourt, rt. hon. Sir W. G. V. V.
Harrington, E.
Harrington, T. C.
Harris, M.
Hayden, L. P.
Hayne, C. Seale-
Healy, M.
Healy, T. M.
Holden, I.
Hooper, J.
Howell, G.
Hunter, W. A.
Illingworth, A.
Jacoby, J. A.
James, hon. W. H.
Joicey, J.
Jordan, J.
Kenny, M. J.
Kilbride, D.
Lane, W. J.
Lawson, Sir W.
Lawson, H. L. W.
Leake, R.
Lewis, T. P.
Lyell, L.
Macdonald, W. A.
Mac Neill, J. G. S.
M'Arthur, A.
M'Arthur, W. A.

M'Carthy, J.
M'Carthy, J. H.
M'Donald, P.
M'Ewan, W.
Mahony, P.
Maitland, W. F.
Marjoribanks, rt.hn.E.
Marum, E. M.
Mayne, T.
Monzies, R. S.
Molloy, B. C.
Morgan, rt. hon. G. O.
Morgan, O. V.
Morley, A.
Mundella, rt. hn. A. J.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, J. F. X.
O'Brien, P. J.
O'Brien, W.
O'Connor, A.
O'Connor, J.
O'Connor, T. P.
O'Hanlon, T.
O'Hea, P.
Parker, C. S.
Parnell, C. S.
Paulton, J. M.
Pease, H. F.
Pickard, B.
Pickersgill, E. H.
Pinkerton, J.
Plowden, Sir W. C.
Portman, hon. E. B.
Potter, T. B.
Powell, W. R. H.
Power, P. J.
Power, R.
Priestley, B.
Provand, A. D.
Pugh, D.
Pyne, J. D.
Quinn, T.
Randell, D.
Rathbone, W.
Redmond, W. H. K.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Reynolds, W. J.
Richard, H.
Roberts, J.
Roberts, J. B.
Roe, T.
Roscoe, Sir H. E.
Rowlands, W. B.
Rowntree, J.
Russell, Sir C.
Samuelson, Sir B.
Samuelson, G. B.
Schwann, C. E.
Sexton, T.
Shaw, T.
Sheehan, J. D.
Sheehy, D.
Sheil, E.
Sinclair, J.
Stack, J.
Stevenson, F. S.
Stevenson, J. C.
Stewart, H.
Stuart, J.
Sullivan, D.
Sullivan, T. D.
Summers, W.
Sutherland, A.
Talbot, C. R. M.
Tanner, C. K.
Thomas, D. A.
Trevelyan, right hon. Sir G. O.
Tuite, J.
Vivian, Sir H. H.
Wallace, R.
Wardle, H.
Warmington, C. M.
Watt, H.
Wayman, T.
Will, J. S.
Williams, A. J.
Williamson, S.
Wilson, C. H.
Wilson, I.
Winterbotham, A. B.
Woodall, W.
Woodhead, J.
Wright, C.

TELLERS.

Cameron, C.
Esslemont, P.

Motion, "That Mr. Speaker do now leave the Chair," *withdrawn.*

SUPPLY—Committee upon *Monday* next.

It being One of the clock a.m., Mr. Speaker adjourned the House, without Question put, till *Monday* next.

HOUSE OF LORDS,

Monday, 25th June, 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—Suffragans' Nomination * (176).
Third Reading—Universities (Scotland) (165); Customs (Wine Duty) (169), and *passed.*

PROVISIONAL ORDER BILLS—*First Reading*—Public Health (Scotland) (Kirkliston, Dalmeny, and South Queensferry Water) * (177).
Committee—Report—Local Government (Highways) * (149); Local Government (No. 7) * (150); Local Government (Port) * (151).
Third Reading—Local Government (No. 3) * (139); Local Government (No. 4) * (140); Local Government (Poor Law) (No. 6) * (141); Tramways (No. 1) * (143), and *passed.*

HIS IMPERIAL HIGHNESS THE LATE GERMAN EMPEROR.

HER MAJESTY'S ANSWER TO THE ADDRESS OF CONDOLENCE.

THE LORD STEWARD OF THE HOUSEHOLD (The Earl of MOUNT-EDGCUMBE) reported Her Majesty's Answer to the Address, as follows:—

MY LORDS,

"I return you my most sincere thanks for your Dutiful and Touching Address of Condolence on the melancholy occasion of the death of my beloved Son-in-Law, the Emperor Frederick of Germany.

"This assurance of the warm interest in all that concerns myself and my family affords me deep gratification."

FOREIGN MARRIAGE ACT.

QUESTION. OBSERVATIONS.

LORD LAMINGTON asked Her Majesty's Government, Whether they intended to bring in a Bill to remedy the inconveniences which arose from the present Foreign Marriage Act? He pointed out that none but clergymen of the Church of England could marry British subjects abroad, and that only in the Embassy Chapel. The Consuls had no power to marry English couples unless both parties had been resident in the city in which they sought to get married for one month. He urged that all this was very inconvenient and worked great injustice, and he trusted the noble Marquess would be able to inform the House that some general Bill would be introduced.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I am afraid the difficulty of passing general Acts, or any other Acts, is very considerable at this time, and I doubt whether it would be in our power to introduce any measure at this period of the Session which would have any

chance of passing. I entirely sympathize with the views of my noble Friend. It is clear that any impediment to the marriage of Nonconformists resident abroad who wish to be married is entirely contrary to justice and to good policy, and I shall be very glad to look into the state of the law as it at present exists to see whether, with the existing power, we are not able to remedy the grievances my noble Friend has referred to. I do not concur with him in thinking it desirable to get rid of that provision which restricts the power of the Consul to the marriage of couples who have been resident a month. I am afraid we should have a renewal of Gretna Green in more convenient and accessible circumstances. Any couple that desires to be married, even if under age, could, without any difficulty, cross the water and get it done. But any obstacle on account of a difference in religious opinion is clearly inconsistent with the policy of the present day, and ought to be put a stop to as rapidly as possible.

UNIVERSITIES (SCOTLAND) BILL.

(The Marquess of Lothian.)

(NO. 165.) THIRD READING.

Order of the day for the Third Reading, read.

The Queen's consent signified; Bill read 3ª (according to order).

Moved, "That the Bill do pass?"

Amendments made.

THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN) stated that the number of Commissioners had been increased from 13 to 15 by the addition of Sir Henry Roscoe and Lord Elgin.

THE EARL OF ROSEBERY said, everybody must feel that the new names which had been added must improve the texture and character of the Commission, excepting in one respect—namely, that whereas the number was to have been 13, it would now be 15. He wished to express most strongly his impression that this Commission was much too large. He was aware there were precedents for appointing Commissions of this size, even with reference to this great subject; but in the days when these Commissions were appointed 30 years ago, Commissioners were not expected to undertake so active a part on the Commission as people were supposed to do now. He feared the result of the large number would be to have a great diminution of the sense of responsibility on the part of each individual Member of the Commission. If they had a Commission of seven, they would have a body of men who would feel it a necessity to attend every meeting, and who would have a due sense of the powers devolved upon them by Statute. But with a Commission of 15, some of whom were resident in England, this could not be the case. They would have an habitually small attendance, ready, he feared, by the analogy of their Lordships' House, to be swamped at any critical moment by the appearance of the absentees on the scene. He was afraid that it was too late at this stage of the Bill to remedy this; but they had entrusted such very large—indeed absolute—powers to the Commission, the composition of which was of vital moment, that he must record his opinion of it even at this late period.

THE MARQUESS OF LOTHIAN said, he could understand the noble Earl's contention that more efficient work might be done by a small Commission; but, on the other hand, in asking so many Gentlemen to serve, he had looked at the great amount of work to be performed. It might take not only months but years before the work of the Commission could be thoroughly carried through, and he thought that would be too great a task to place on a small number of Gentlemen who gave their honorary services. The analogy with reference to being swamped by absentees, as in the case of their Lordships' House, he did not think could apply. He felt that the Gentlemen whom he had asked represented and felt a practical interest in the subject to which the Bill referred, and he fully believed that they would give their very best attention, as well as all the time they could spare, to the work of the Commission. With that view, and with the hope that it would not entail too much individual work on any of them, the number of the Commission had been so fixed; and their Lordships might feel assured that the work would be fully, effectually, and well done.

THE EARL OF ROSEBERY asked whether he was to understand that the work would be so severe that the noble

Marquess had fixed on the large number on the principle of the survival of the fittest, and that only a small remnant of the Commission would be likely to see the work accomplished?

THE MARQUESS OF LOTHIAN said, he could not admit that the number was fixed on the principle suggested. He thought the Government had adopted the wisest course.

Motion *agreed to;* Bill *passed*, and sent to the Commons.

SUFFRAGANS' NOMINATION BILL [H.L.]

A Bill to make further provision for nomination of Bishops Suffragans—Was *presented* by The Lord Chancellor; read 1ª. (No. 176.)

PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER (KIRKLISTON, DALMENY, AND SOUTH QUEENSFERRY WATER) BILL [H.L.]

A Bill to confirm a Provisional Order under the Public Health (Scotland) Act, 1867, relating to Kirkliston, Dalmeny, and South Queensferry Water—Was *presented* by The Lord Ker [*M. Lothian*]; Then it was moved that the Sessional Order of the 6th of March last, "That no Bill originating in this House confirming any Provisional Order or Provisional Certificate shall be read a first time after Friday the 11th day of May next," be dispensed with in respect of the said Bill, and that the Bill be now read 1ª; *agreed to:* Bill read 1ª accordingly; and *referred* to the Examiners. (No. 177.)

House adjourned at Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 25th June, 1888.

MINUTES.] — SELECT COMMITTEE — Public Accounts, Mr. Lane *disch.;* Dr. Tanner *added.*

SUPPLY—*considered in Committee—Resolutions* [June 21] *reported.*

WAYS AND MEANS—*considered in Committee*—£2,366,400, Consolidated Fund.

PRIVATE BILL (*by Order*)—*Considered as amended*—*Third Reading*—Llanelly Local Board, and *passed.*

PUBLIC BILLS — *Ordered* — *First Reading* — Buildings (Metropolis) * [305]; Intoxicating Liquors (New Licences) * [306]; Perpetuity Leases (Ireland) * [307].

Committee—Report—Consolidated Fund (No. 2).

Third Reading—Reformatory Schools Act (1866) Amendment [161], and *passed.*

Withdrawn—Herring Fishery (Scotland) [75]; Employers' Liability Act (1880) Amendment [26].

PROVISIONAL ORDER BILLS—*Report*—Drainage and Improvement of Lands (Ireland) * [277]; Local Government (No. 6) * [266]; Local Government (No. 9) * [274]; Local Government (No. 12) * [284]; Tramways (No. 3) * [243].

Considered as amended—Gas (No. 1) * [244].

DEATH OF THE GERMAN EMPEROR.

HER MAJESTY'S ANSWER TO THE ADDRESS.

THE COMPTROLLER OF THE HOUSEHOLD (Lord ARTHUR HILL) reported Her Majesty's Answer to the Address, as followeth:—

"I thank you sincerely for your loyal and dutiful Address of Sympathy and Condolence on the Occasion of the Death of My beloved Son in Law, the Emperor Frederick of Germany.

"I gratefully accept the Expression of your Sympathy with My Grandson, the present Emperor William the Second of Germany, with His Family and His People, at this melancholy Event, and I will not fail to communicate your Sentiments to His Majesty."

QUESTIONS.

FISHERIES (SCOTLAND)—THE LOBSTER FISHERIES.

MR. FRASER-MACKINTOSH (Inverness-shire) asked the Lord Advocate, Whether the law regarding lobster fishing is entirely regulated by 40 & 41 *Vict.* c. 42; whether, under Section 10, the Board of Trade made the public inquiries, and gave the public notices therein contemplated; in particular, were inquiries made and notices given in regard to the lobster fisheries of the Outer Hebrides; and, if so, where and when; whether he is aware that the Procurator Fiscal of the Long Island District of Inverness-shire suddenly issued notices prohibiting, for the first time, fishermen, who had purchased on credit the requisite materials for the season, from taking lobsters on the West or ocean shores of South Uist during the months of June, July, and August; whether, according to the fishermen, this is the only period of the year they can with safety fish that stormy coast; and, whether he will cause inquiries to be made as to this novel interference with the usages of the fishermen, with the view of their being heard in defence of their chief means of subsistence?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. An-

drew's Universities): The law is regulated by the Act quoted, and there is also an Act passed in the year 9 *Geo.* II., c. 33, which by Section 4 provides a close time for lobsters in June, July, and August on the coast of Scotland. This section of the Act, though still in force, has very generally fallen into desuetude. The Procurator Fiscal referred to has not issued any such notices as are set forth in the Question, and no inquiries have been made. So far as I can ascertain, in consequence of a complaint made to the Procurator Fiscal, he instructed the police constables in the district to report to him for his information any offenders against the Act of *Geo.* II. quoted above, and against Sections 8 and 9 of the Act of 1877, which prohibit the sale of lobsters under a certain size. I am informed that it is not the case that the months mentioned are the only ones during which this fishing can be carried on with safety; but that during these months there is less fishing than at any other period of the year, owing to the loss of lobsters in transit during the warm weather, and the low prices realized.

ROYAL MILITARY ACADEMY, WOOLWICH—ENTRANCE EXAMINATIONS.

SIR HENRY ROSCOE (Manchester, S.) asked the Secretary of State for War, What progress has been made in the arrangements for so altering the Regulations for the entrance examinations to Woolwich that the subject of natural science shall be duly represented? Also, Whether the right hon. Gentleman is in a position to give information as to the steps which he has taken to place the subject of experimental science in a proper position in the entrance examinations for Woolwich?

THE FINANCIAL SECRETARY WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) (who replied) said: An arrangement has been made which will, I hope, be satisfactory to the hon. Member. I will to-day lay a Paper on the Table showing the marks to be granted for the several subjects, merely stating now that increased relative importance has been assigned to natural science. Notice will, of course, be given before this scale of marks comes into operation.

EXCISE DEPARTMENT—PAY AND PROMOTION OF ASSISTANTS.

MR. HENNIKER HEATON (Canterbury) asked Mr. Chancellor of the Exchequer, Whether it is true that the present Assistants of Excise have to serve from eight to 10 years before obtaining promotion, during which time their salaries are substantially the same as were fixed for their class 30 years ago, when similar promotion was obtained in four to five years; and, if so, whether he will consider the advisability of giving these officers a further increase of their present pay?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) (who replied) said: The last Assistant of the Excise who was promoted had served nearly eight years in that capacity. This period is likely to become shorter as time progresses. Although the salaries of Assistants of Excise are, as stated by the hon. Member, practically the same as were fixed 30 years ago, the present Assistants have the prospective advantages of promotion to better paid places in the future. With regard to the suggestion that these officers should be given an increase in their pay, Questions bearing directly on the subject have already been asked in the House on six previous occasions—namely, Mr. Macdonald Cameron, June 13, 1887; Mr. Sexton, September 8, 1887; Mr. Webster, March 26, 1888; Mr. O. V. Morgan, April 16, 1888; Mr. D. Sullivan, April 26, 1888—and I have really nothing to add to the replies which were then given.

PAROCHIAL EXPENDITURE (METROPOLIS) — ST. MARGARET AND ST. JOHN, WESTMINSTER.

MR. BARTLEY (Islington, N.) asked the President of the Local Government Board, Whether he is aware that the Vestry of St. Margaret and St. John, Westminster, has recently borrowed two sums, one for wood paving, and the other for asphalte paving, of the Metropolitan Board of Works, and that, having completed the works for which the respective loans were taken up, and having a surplus of several thousand pounds, the Vestry is expending the surplus in reduction of the current rates; whether

some of the rating authorities have refused to sign the rate in consequence; and, whether there is any power of preventing current expenses being thus paid for by loans?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The Local Government Board have no jurisdiction whatever with respect to the loans raised by the Vestry or their application. They have, however, communicated with the Vestry on the subject, and are informed that the late Board of Works for the Westminster District received two loans from the Metropolitan Board of Works last year for the execution of the works in question; that the works have been carried out; and that there is a considerable balance in hand in respect of each loan. The Vestry state that no part of either loan has been, or is intended to be, applied in aid of current rates; but that the balance of each loan remains on deposit with the Treasurer of the Vestry. The Board are further informed that one of the Churchwardens of the parish refused to sign the general rate, and stated his reasons for such refusal when, on the 28th of April last, he attended before the magistrate to object to the allowance and signing of the rate; but that, notwithstanding the objection thus taken, the magistrate allowed and signed the rate. In the case of a Vestry proposing to apply borrowed moneys in aid of current rates, I presume that application might be made to the High Court for an injunction.

POOR LAW (IRELAND)—ATHY BOARD OF GUARDIANS.

MR. KILBRIDE (Kerry, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Athy Board of Guardians has been dissolved by sealed order from the Local Government Board; and, if so, why?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, that the Board had been dissolved by a sealed order of the Local Government Board, because the Guardians had deliberately misappropriated the Union funds for the pecuniary advantage of a member of their own body, in refunding to him from the rates the amount he was obliged to pay by way of surcharge in respect of certain illegal payments he had sanctioned from the rates, as reported by the Local Government Auditor.

MR. KILBRIDE asked, on what principle had the Local Government Auditor proceeded to make this Report?

MR. A. J. BALFOUR said, he fancied it was on the same principle as in the case of every Board of Guardians which sanctioned illegal payments.

MR. KILBRIDE asked, if the right hon. Gentleman was aware that in making out the accounts the auditor had in one case, where there were only three in family, sanctioned the payment of £8 4*s.* for their support for the half year; whereas in another case, where there were 15 in family (13 children and the parents), he only sanctioned the payment of £5 for their support for six months, and surcharged the Guardians with the balance? On what principle had these surcharges been made?

MR. A. J. BALFOUR said, he was not aware of the particulars of the facts of the case; but he was aware that the payments surcharged were grossly illegal.

MR. ARTHUR O'CONNOR (Donegal, E.) asked, if the right hon. Gentleman would not make a personal investigation into the facts in this particular instance?

MR. A. J. BALFOUR said, the facts of the case were really quite clear.

CIVIL SERVICE ESTABLISHMENTS—REPORT OF THE ROYAL COMMISSION.

MR. TUITE (Westmeath, N.) asked the Secretary to the Treasury, Whether he can state when the Report of the Royal Commission on Civil Service Establishments will be issued?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): I am informed that the Commissioners are engaged upon the preparation of their Second Report, which will probably be submitted to Her Majesty before the end of the present Session.

INLAND NAVIGATION AND DRAINAGE (IRELAND)—LOUGH CORRIB.

COLONEL NOLAN (Galway, N.) asked the Secretary to the Treasury, Who has the power to raise the Lough Corrib

sluices in time of flood; and, is care taken that the interests of tenants on the banks of Lough Corrib should be considered before those of the lessee of the salmon fishery?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): The sluices are under the control of Professor Townsend, Engineer of the Drainage and Navigation Board, under the award of the Commissioners of Public Works, dated September 25, 1859. The engineer may not allow the minimum lowest level to fall below 29·2 feet above the *datum* line at the Ordnance summer level, or to rise above the maximum level of 31·2 feet above the *datum* line at the winter level. The engineer has always endeavoured, as far as he possibly can, to consult the interests of the tenants.

INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE SHANNON.

COLONEL NOLAN (Galway, N.) asked the Secretary to the Treasury, Who gives the orders for the Shannon sluices at Athlone and Meelick to be raised; were these sluices raised on Tuesday, the 12th, and when was the order given for the raising of these sluices; and, what was the height of water above the bottom of the lock on the 12th June and on subsequent days, and did it ever reach within nine inches of winter flood level?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): The orders for raising the sluices at Athlone and Meelick are given by the Resident Engineer, Mr. Crosthwait. The sluices at Athlone were not raised on Tuesday, June 12. At Meelick on that day all were raised except one, which was under repair. The height of water on the upper sill at Athlone Lock on that day was eight feet, and at Hamilton Lock, Meelick, six feet nine and a half. The maximum height of the flood was on June 15, when the depths were—Athlone, upper sill, 8 feet 6; lower sill, 13 feet 3; Meelick, upper sill, 7 feet 4; lower sill, 9 feet 9. I am informed that the level of the winter water is very variable. Above Athlone it reaches the surface of the land, when there is a depth of 8 feet 2, while on the upper sill at Meelick the depth is 7 feet 6.

COLONEL NOLAN would like to ask the Secretary to the Treasury, whether he had not stated that the water at these places was over 8 feet, while the Parliamentary level was 6 feet 6?

MR. JACKSON said, that was so; but he was informed that unless the course taken had been adopted a very large area of land would have been flooded.

COLONEL NOLAN asked, if the right hon. Gentleman meant to say that keeping down the sluices would prevent flooding.

MR. JACKSON said, so he was informed.

COLONEL NOLAN: What, all?

MR. JACKSON: Yes, Sir.

COLONEL NOLAN asked, if that was to be accepted as a correct engineering opinion, that keeping down the sluices would prevent flooding?

MR. JACKSON said, he was informed that unless the water had been kept back a very much larger area would have been flooded lower down.

HORSE AND CATTLE BREEDING (IRELAND)—ROYAL DUBLIN SOCIETY—THE GRANT OF £5,000.

MR. M. J. KENNY (Tyrone, Mid) asked Mr. Chancellor of the Exchequer, If the Royal Dublin Society have reported to the Government the manner in which they have expended the sum of £5,000 entrusted to them for the improvement of horse and cattle breeding in Ireland; and, if he has any objection to giving a Return showing the names of members of local committees; the number of selected horses; the names of owners of such horses; the districts set apart for each horse; the number of bulls, with their respective breeds; the number of applications for service premiums; the number of applications refused, with reasons for such refusal; the districts in which selected bulls are located; and, the amount of surplus, if any?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) (who replied) said: The Royal Dublin Society have furnished a detailed Report of the manner in which they have dealt with the £5,000 for horse and cattle breeding. There would be no objection to grant a Return in the form indicated, excepting as regards that portion relating to number of applications for and refusal of service premiums, of which there is no record. The refusals, I understand, were few. I may, however, point out that the Royal

Dublin Society have given considerable information on the subject of the distribution of the grant in their published proceedings, and in a special pamphlet. The hon. Member may possibly find these sufficient for the purpose he has in view.

MR. M. J. KENNY said, he had desired that these Returns should be issued to Members of the House, so that Parliament would have an opportunity of forming an opinion as to the manner in which this money had been disposed of.

THE SUGAR BOUNTIES—PROTECTIVE DUTIES OF FOREIGN COUNTRIES.

MR. PICTON (Leicester) asked the Under Secretary of State for Foreign Affairs, Whether the negotiations for the abolition of foreign sugar bounties extend to the abolition or reduction of the protective duties levied by foreign nations on British sugar, or on British manufactures in which sugar is used?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): No; these negotiations relate solely to the abolition of sugar bounties, and do not enter into questions of duties on sugar, or on manufactures in which sugar is used.

SUGAR BOUNTIES CONFERENCE—THE UNITED STATES GOVERNMENT.

MR. ILLINGWORTH asked the Under Secretary of State for Foreign Affairs, Whether the Government of the United States have taken a part in the Conference on Sugar Bounties in the same manner and on the same footing as the Governments of the other countries concerned; and, whether he is able to give the House any information concerning the probability of the United States Government joining in and adopting the conclusions of the Conference?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): The Representative of the United States attended the Sugar Conference to listen to its proceedings and report the same, but without committing his Government. I am not able to inform the House concerning the course which the Government of the United States may take at future stages.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 — IMPRISONMENT OF MR. JOHN DILLON, M.P.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Her Majesty's Government will lay upon the Table of this House a copy of the record and the depositions in the Court of First Instance and on appeal, in the case of Mr. John Dillon, a Member of this House, sentenced on the 20th instant at Dundalk to an imprisonment of six months?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I have considered this matter carefully; and, in view of the fact that the course proposed by the right hon. Gentleman is a very unusual one, and there is nothing special, so far as I know, either in the facts or the law relating to the case in the Paper, I think it will not be expedient to make the Return asked for by the right hon. Gentleman.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—PRISON REGULATIONS—MR. JOHN DILLON, M.P.

MR. JOICEY (Durham, Chester-le-Street) (for Mr. W. H. JAMES) (Gateshead) asked the Chief Secretary to the Lord Lieutenant of Ireland, How Mr. John Dillon has been employed since his imprisonment, and what will be the nature of his employment during the progress of his sentence?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The General Prisons Board report that the hon. Member referred to has been exempt from labour of any kind, the medical officer having directed his being placed in the Prison Hospital.

LAW AND JUSTICE (IRELAND)—MR. J. H. ATKINSON, PETTY SESSIONS CLERK, MARYBOROUGH, QUEEN'S COUNTY.

MR. LALOR (Queen's County, Leix) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that Mr. John H. Atkinson, Petty Sessions Clerk at Maryborough, Queen's County, has been suspended for defalcations extending over a number of years, and if he is aware of the nature and extent of these defalcations; and, if it is

the intention of the Government, as reported, to sanction the re-instatement of Mr. Atkinson in the position of Petty Sessions Clerk?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, the clerk referred to had not been suspended for defalcations, but for neglect of duty. The Magistrates have recommended his re-instatement, and the matter is now before the Lord Lieutenant.

MR. KILBRIDE (Kerry, S.) asked, had not Mr. Atkinson received dog taxes, for which he did not issue either stamped or licensed documents?

MR. A. J. BALFOUR said, he was not aware of the fact.

HOME OFFICE—PRISON DEPARTMENT.

MR. QUILTER (Suffolk, S.) asked the Under Secretary of State for the Home Department, What is the reason for the delay in the issue of the Return relating to the Prison Department; and, whether the Return will show the number of prisoners employed in mat making in each prison?

THE UNDER SECRETARY OF STATE (Mr. STUART-WORTLEY) (Sheffield, Hallam): There has been no avoidable delay this year in the preparation of the Report of the Prison Commissioners; the Report usually appears at the end of August. When issued it will show, in the same way as the Report last published, the number of prisoners employed at mat-making in each prison. It appears that the actual daily average number of prisoners so employed in the year ending March 31, 1888, was only 1,473.

LAND PURCHASE (IRELAND) ACT, 1885—ARREARS OF RATES.

MR. SHEEHY (Galway, S.) asked Mr. Solicitor General for Ireland, Whether tenants under £4 valuation who have purchased under Lord Ashbourne's Act can be sued for rates which became due previous to the confirmation by the Land Commission of the purchase scheme; did Lord Ashbourne's Act contemplate payment by such tenants of arrears of poor rates; what are the powers of Guardians to recover arrears of rates from tenants under £4 valuation; and, whether it is the duty of the Guardians to exhaust the means at their disposal to recover the rates from the landlord in such cases before suing the occupier?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): The occupier for the time being of any land may be compelled to pay the poor rate as soon as it is four months in arrear. If the valuation of the land is not more than £4, the occupier, if compelled to pay, may recover the whole amount from the lessor of the land by civil bill, or he may deduct it from his rent, if he is liable to pay a rent. Lord Ashbourne's Act does not affect the question. The person in actual occupation of land can be equally sued by the Guardians whether he is a tenant or a purchaser, and in either case he can recover from the person ultimately liable. The Board of Guardians are by law entitled to sue either the lessor or the occupier of land. Where the lessor is ultimately liable it is, I am informed, the usual practice to use all reasonable endeavour to compel him to pay before resorting to the occupier. The mode of enforcing payment is either by distress, which, of course, only affects the occupier, or by civil bill, which is available against either lessor or occupier.

POOR LAW (IRELAND)—DISMISSAL OF P. LOUGHREY, TULLA UNION.

MR. COX (Clare E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can cite any precedents for the action of the Local Government Board in dismissing, by sealed order, Mr. Patrick Loughry, poor rate collector in the Tulla Union, without any previous communication with the local Board of Guardians; can he state whether it is a fact that the "illegal proceedings" Mr. Loughry was alleged to be concerned in, and for which he was sentenced to 14 days' imprisonment, in default of giving bail to be of good behaviour, and for which he was three months afterwards dismissed by sealed order, consisted in being one of a large party engaged in a hunt with a local pack of harriers; whether it is a fact that the Guardians, having complied with the orders of the Local Government Board to advertise for a successor to Mr. Loughry, and having received no application for the office, passed a Resolution on May 29, stating that—

"The Guardians deem it their duty to let the Local Government Board know that it is the belief of the Guardians that no eligible person will apply for the office so long as their sealed order, with the Chief Secretary's signature to it, remains in force;"

whether, at the meeting of the Board of Guardians on the 19th instant, a Resolution was adopted, again informing the Local Government Board that there was no response to their advertisement for candidates for the vacant situation, and again directing the attention of the Local Government Board to the Resolution of the 29th ultimo, also pointing out that—

"A large number of poverty-stricken persons have been for the past two months deprived of out-door relief owing entirely to the effect of this sealed order,"

and, whether, as President of the Local Government Board, he will give instructions to have the order withdrawn?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, two cases of the kind had occurred—one, the case of the hon. Member for South Cork, and the other, the case of Dr. Magner. Loughry was convicted as one of the promoters of an illegal assembly of 300 or 400 people, who assembled under the guise of a hunt to intimidate persons from taking certain farms in order that the lands might become derelict. The representations in question were made to the Local Government Board; but, as he had already explained, the outdoor relief was discontinued not because of the dismissal of the man—the payment of it had been stopped before that—but because of the financial condition of the Union.

POST OFFICE—CIRCULATION DEPARTMENT (INLAND BRANCH)—SUNDAY DUTY—THE SORTERS.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Postmaster General, Whether the sorters employed on Sunday duty in the Circulation Department (Inland Branch) petitioned in 1884 for an improved rate of pay; whether, in January, 1885, they asked for a reply to their Petition, which was not given? whether, in October, 1886, they were told officially that—

"A scheme was in existence, which would probably be published early in the new year;"

whether, in January of the present year, having again asked for a reply to the original Petition, they were told by the Controller that "the Postmaster General was in communication with the Treasury;" whether the last statement is correct; and, when a definite answer to the Petition will be given?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): If, as I presume, the hon. Member refers to extra pay for extra duty, the facts are very much as implied in the Question. The matter has, no doubt, been a long time under consideration, involving, as it does, minute and laborious investigation; but I am not without hopes that a decision may now be arrived at shortly, and I can assure the hon. Member that no effort on my part will be wanting to bring this about.

CUSTOMS AND INLAND REVENUE ACT, 1888—STAMP PENALTIES.

MR. WHITLEY (Liverpool, Everton) asked Mr. Chancellor of the Exchequer, Whether he would be prepared to instruct the Board of Inland Revenue to remit the penalties payable on stamping instruments executed prior to the passing of the Customs and Inland Revenue Act of 1888 which are presented to them for the purpose at any time before the 1st of January next?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I see many advantages in the course suggested by the hon. Member. The matter is under my consideration; and I shall be glad to give him a fuller and more definite answer if he will kindly repeat his Question in a few days.

LAW AND JUSTICE (IRELAND)—ADMINISTRATION OF JUDICIAL OATHS.

MR. J. SINCLAIR (Ayr, &c.) asked Mr. Solicitor General for Ireland, Whether he has yet considered the subject of assimilating the practice of the Irish Courts in the administration of an oath by the "uplifted hand," to the invariable practice in the Scotch Courts as described by the Lord Advocate; and, whether, if he considers further legislation is necessary to effect this reform, he is now prepared to state when he can introduce such legislation?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): If the hon. Member will

introduce a Bill dealing with the subject matter of his Question, I can assure him that it will receive the most favourable consideration on the part of the Government. I fear that, so long as the law is governed by the Act of 1838, differences of opinion will exist as to the proper mode of applying its provisions, and that there exist no means of obtaining the uniformity of practice which the hon. Member desires.

MR. J. SINCLAIR: Will the hon. and learned Gentleman himself be able to introduce a Bill dealing with the subject, as it would be much better coming from the Government?

MR. MADDEN: I am afraid I cannot at this moment undertake on the part of the Government to introduce such a Bill. However, the matter will receive consideration.

CHELSEA HOSPITAL — GEORGE WILLIAMS, A PENSIONER.

MR. ARTHUR O'CONNOR (Donegal, E.) asked Mr. Chancellor of the Exchequer, Whether his attention has been directed to the case of George Williams, a pensioner, formerly of the 9th Foot, who, on June 8, 1887, was informed by the Royal Commissioners of Chelsea Hospital, with the assent of the Secretary of State for War, that his claim to an additional 1*d.* a-day had been recognized as well-founded, and that the necessary instructions would be issued for payment of arrears from May 9, 1865, to December 31, 1885, exclusive of the period from July 1 to November 1, 1879, during which he was in Chelsea Hospital; whether the Treasury have caused the money so promised to be withheld; and, if so, whether in view of the fact that the pensioner was not responsible for the accumulation of the arrears, and of the official letter promising payment, and of all the other circumstances of the case he will direct that the Treasury decision shall be re-considered.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): There has been a difference of opinion between the Treasury and War Office with respect to this case; but I have been looking personally into it, and I have good hopes of being able to arrive at a satisfactory settlement of it.

INDIA—THE IRRAWADDY FLOTILLA COMPANY.

MR. BRADLAUGH (Northampton) asked the Under Secretary of State for India, Whether he can now give the promised information as to the Irrawaddy Flotilla Company?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): I am sorry to say that the Indian mail has arrived; but it has not brought the Papers relating to this matter.

MR. BRADLAUGH: Will the hon. Gentleman say how it was that a few weeks ago he informed the House that he had reason to believe the documents were on the way?

SIR JOHN GORST: My reason was that I was told so.

EDUCATION DEPARTMENT—NOTTINGHAM SCHOOL BOARD.

MR. BROADHURST (Nottingham, W.) asked the Vice President of the Committee of Council on Education, Whether the Nottingham School Board have made repeated requests to the Education Department to be permitted to provide additional accommodation in the People's College Board School, and have made various proposals for that purpose; whether the attendance is in excess of the certified accommodation, notwithstanding that more than 100 children have been refused admission; whether he is aware that the school is centrally situated, and is so successful as to cost the ratepayers nothing; whether, instead of complying with the Board's requests, the Education Department has proposed the ejection of the scholars in the three lower standards; and, whether the application which has lately been made for leave to erect supplementary schools on another site will be acceded to by the Department?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford): The People's College Board School was established as a higher grade school to serve the necessities of the whole town; and the proposals of the Board would have had the effect of converting it into a school of the ordinary type for the supply of a particular district. It is to this degradation of a central school for

higher elementary education, and not to the supply of additional accommodation, that the Department have objected; and, as at present advised, I see no reason to re-consider my decision in the matter.

LAND LAW (IRELAND) ACT, 1881—THE EDENDERRY UNION—FAIR RENTS.

DR. FOX (King's Co., Tullamore) asked the Chief Secretary to the Lord Lieutenant of Ireland, When he will arrange for fair rents to be fixed for the tenants of Edenderry District, some of whom have been kept waiting for over three years?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me that it is not correct to state that some of the applications to fix fair rents in the Edenderry Union have been kept waiting over three years. The earliest undisposed of case in the Kildare part of the Union was served on the 28th of September, 1887; in the Meath part on the 29th of September, 1887; and in the King's County part on the 5th July, 1886. The Commissioners are not at present in a position to state when a Sub-Commissioner will next sit for the disposal of cases in the King's County portion of the Union; but 21 cases have been listed from the Kildare part of the Union for the sitting commencing at Naas on the 2nd of July.

ROYAL IRISH CONSTABULARY—STREET ASSEMBLIES.

MR. SCHWANN (Manchester, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any new instructions have been issued during the last nine months to the Royal Irish Constabularly Forces, as to the prevention of any assembly of persons in the streets after the holding of trials in the various Court-houses in Ireland?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Inspector General of Constabulary reports that no new instructions of the nature indicated have been issued to the police. Two Circulars were issued to the Divisional Magistrates during the period named, pointing out Regulations to be observed for the preservation of the peace at public demonstrations, and for the prevention of improper demonstrations.

MR. SCHWANN: Will the right hon. Gentleman lay them on the Table?

MR. A. J. BALFOUR: No, Sir.

COUNTY ELECTORS ACT, 1888—DECLARATIONS IN MUNICIPAL BOROUGHS.

MR. SCHWANN (Manchester, N.) asked the President of the Local Government Board, Whether in the County Electors Act of 1888, Section 4, Subsection 2, in a borough which is only municipal, and for which declarations are to be made on or before September 5, those declarations are to be served on the Town Clerk in that borough or on the Clerk of the Peace, on whom such declarations outside of that borough are served?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St George's): It is presumed that the Question is intended to refer to declarations in boroughs which are municipal, but not Parliamentary, under Sub-section 1 (*a*) of Section 4 of the County Electors Act. These declarations ought to be served on the Town Clerk of the borough, in accordance with the Parliamentary and Municipal Registration Act, 1878, and not on the Clerk of the Peace.

THE PARKS (METROPOLIS)—REFRESHMENT STAND IN THE VICTORIA PARK.

MR. BRADLAUGH (Northampton) asked the First Commissioner of Works, Whether, in 1861, permission was granted to Mr. Richard Goddard to occupy a space about 12 feet square in Victoria Park as a refreshment stand; whether, in 1873, the continuance of this permission was granted to Mr. Daniel Nicholl, son-in-law of Mr. Goddard; whether he is aware that, on April 30, 1888, the Metropolitan Board of Works cancelled such permission; and, whether the refreshment stand, whilst under the control of the First Commissioner, had always been well-conducted?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University), in reply, said, he believed the facts were as stated in the Question; and he had not heard a word of complaint as to the manner in which the refreshment stand had been conducted.

SCOTLAND—LANDLORD AND TENANT —THE SKIBO ESTATE, SUTHERLANDSHIRE.

MR. A. SUTHERLAND (Sutherland) asked the Lord Advocate, Whether he is aware that Mr. Sutherland, proprietor of the Skibo estate in Sutherlandshire, has refused to accept from his tenants the rents fixed by the Commission appointed under Act of Parliament for that purpose, or refused to give a clear receipt for the said rent when duly offered to him; and that he threatens them with proceedings in the Court of Session unless they pay the old rent; and, whether the Government will take any steps for the protection of the tenants in this case?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I am not aware of the facts stated in the Question. Assuming them to be correct, the matter involved is one that can only be decided by a competent Court of Law; and her Majesty's Government have no power to interfere.

PALACE OF WESTMINSTER—HOUSE OF COMMONS—POLICE ATTENDANCE.

MR. O. V. MORGAN (Battersea) asked the Secretary of State for the Home Department, The number of police officers employed in the House of Lords and the number employed in the House of Commons who received extra pay the whole year, and who receive extra pay during the Parliamentary Session, and what rank these officers hold; and, whether he can state the total number of each rank from each House that will be removed at the end of the Session under Sir Charles Warren's new Regulations?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): In the House of Lords one sergeant and six police constables, in the House of Commons one sergeant and nine police constables, receive extra pay all the year round. In addition to this, there is the night watch paid by the Office of Works, consisting of one Inspector, two sergeants, and 16 police constables. In the House of Lords 26 police constables, in the House of Commons two sergeants and 70 police constables, receive extra pay during the Session. The Chief Commissioner cannot say definitely how many of each rank from each House will be removed at the end of the Session; but there will probably be not more than seven men affected by the new Regulations.

LAW AND POLICE (IRELAND) — ARRESTS FOR CONSPIRACY — HANDCUFFING.

MR. T. M. HEALY (Longford, N.) asked Mr. Solicitor General for Ireland, Under what powers and by whose orders were Mr. Sweeney, T.C., and other Loughrea shopkeepers who were arrested for conspiracy, &c., conveyed handcuffed to gaol; what are the Police Regulations with regard to handcuffing untried prisoners; were the handcuffs kept on the 11 men in question during a drive on cars of 22 miles, from Loughrea to Galway, after they were returned for trial, bail being refused by Mr. Townsend, R.M.; did the Queen's Bench afterwards grant bail to all the 11 men; and, what was the reason for handcuffing them?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): The Inspector General of Constabularly reports that the Loughrea prisoners were handcuffed in accordance with the Police Regulations, the responsible officer having grounds to apprehend an attempted rescue. Under the Constabulary Regulations prisoners are to be handcuffed (1) if charged with the commission of any serious offence; (2) if persons of bad character; (3) if there are reasonable grounds to apprehend an escape, or attempted rescue, or violence. The handcuffs were kept on the prisoners until they were lodged in Galway Gaol, six of them having being sent by road, and the remaining five by rail from Athenry. It is the fact that Mr. Townsend refused to admit the prisoners to bail, and that bail was subsequently granted by the Court of Queen's Bench.

MR. T. M. HEALY asked the hon. and learned Gentleman whether he had any objection to read the Regulations.

MR. MADDEN said, he had not got the Regulations with him.

MR. T. M. HEALY: I beg to give Notice that on the Estimates for the Royal Irish Constabularly I shall call attention to the difference in the practices existing in England and Ireland with regard to handcuffing of untried prisoners.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, whether an attempt had ever been made to rescue a Coercion Act prisoner in Ireland?

MR. MADDEN said, he believed not; but proper caution was necessary on the occasion in question.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—PRISON REGULATIONS—PICKING OAKUM.

MR. JOICEY (Durham, Chester-le-Street) (for MR. W. H. JAMES) (Gateshead) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether prisoners sentenced under the Criminal Law and Procedure (Ireland) Act have to pick oakum and break stones like other prisoners; and, whether the prisoners undergoing these sentences with hard labour have an extra allowance of food to those undergoing sentences without hard labour?

THE CHIEF SECRETARY (MR. A. J. BALFOUR) (Manchester, E.), in reply, said, they were under the same Rules as other convicted prisoners.

GREENWICH HOSPITAL FUNDS—THE SEAMEN PENSIONER RESERVE.

CAPTAIN PRICE (Devonport) asked the First Lord of the Admiralty, as a Trustee of the Greenwich Hospital Funds, Whether having stated in his letter to the Treasury of October 18, 1886, as follows:—

"Their Lordships, as Trustees of the Greenwich Hospital Fund, no longer feel justified in diverting the revenues of this Charity, and the charge for the maintainance of the Seamen Pensioner Reserve must, they consider, necessarily fall on Parliamentary Votes,"

he proposes to discontinue so diverting the said revenues?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The correspondence to which my hon. and gallant Friend alludes shows a divergence of opinion between two Departments as to the charges which legitimately appertain to the Greenwich Hospital Funds. The payment to the Seamen Pensioner Reserve is a liability which the Admiralty must meet; and if the Greenwich Hospital Funds are the only resources out of which this liability can be defrayed, they must be applied to this purpose.

INDIA—WATER SUPPLY AT RAWUL PINDI.

DR. TANNER (Cork Co., Mid) asked the Under Secretary of State for India, Whether the Native inhabitants of the City of Rawul Pindi are, in consequence of the energy of the Commissioner, Colonel Parry Nisbet, now supplied with fresh water at all seasons of the year, which is brought from the River Rawul by pipes laid underground, a distance of seven miles, into the city; if it is true that the cantonments, distant about a mile from the city, are obliged to draw from wells the majority of which run dry in the hot season; whether any recommendations have been made, suggesting the extension of the water supply to the cantonments; and, if so, for what reasons have they not been carried into effect; and, whether steps will be taken at an early period to give the large body of troops stationed at the cantonments the great benefit already conferred upon the Native inhabitants of the city?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): There is no official information at the India Office which enables me to reply to this Question. The matter is one which it is in the discretion of the Government of India to settle without instructions from the Secretary of State.

LAW AND JUSTICE—CORONERS' INQUESTS—REMOVAL OF A CORPSE.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar) asked the Secretary of State for the Home Department, Whe his attention has been called to the circumstances attending the removal of the body, by the Coroner's officer, of the late Mr. J. T. Coleman, from the house in which he died (46, Benlede Street, Poplar) to the "East India Arms," where the inquest was held; whether the Coroner's officer has the legal right to order the removal of a body, against the wishes of the relatives, for simple convenience or the despatch of business; whether he has legal power to call on the police to remove the body by force; and, whether he will grant a Select Committee to inquire into the question of public inquests, the necessity of the jury viewing the body, and the expediency of the present system of holding inquests in public-houses, with the object of seeing whether, by some

change in the law, the annoyance, trouble, and cost of inspection and removal of the body could be prevented?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have obtained a Report from the Coroner on this matter. He informs me that the body was not removed to the "East India Arms," but to the nearest public mortuary, in accordance with the almost universal practice in the crowded parts of London. I have not been able to obtain a legal opinion as to whether the Coroner has a right to order the removal of a body, or whether, therefore, he would be entitled to the assistance of the police. I am not aware that any such general dissatisfaction exists with the present procedure that the appointment of a Select Committee is necessary. I understand that in most parts of the Metropolis arrangements are made to obviate the necessity of holding inquests in public-houses. The Coroner for East Middlesex informs me that he never holds an inquest in a public-house if he can avoid it; and at the present moment an application for the use of the Town Hall at Poplar is before the Trustees of that building.

POOR LAW—PENSIONERS AND ARMY RESERVE MEN.

MR. LEGH (Lancashire, S.W., Newton) asked the President of the Local Government Board, Whether a large number of Pensioners and Army Reserve men are inmates of workhouses which they only leave for the purpose of receiving their pay, often returning for re-admittance the same day; and, if so, whether means exist by which the Guardians of the various Unions could attach the sums of money which become periodically due to such persons, in order to defray the expense of their maintenance?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The Local Government Board obtained particulars as to the number of Army Reserve men and military pensioners in workhouses on the 12th of November last. The total number of inmates of workhouses on that day was about 63,000. Of this number 88 were Army Reserve men and 530 military pensioners. As regards the latter, there is a provision in the 19 *Vict.*, c. 15, s. 8, which enables the Guardians to arrange with the Secretary of State for the repayment from the pension of the amount of relief advanced to the pensioner, and in a large number of cases this provision is acted upon by the Guardians. The Guardians cannot, however, recover more than the cost of the relief granted to the man, although his pension may exceed that amount; and there are, no doubt, cases where the pensioner discharges himself from the workhouse with the view of receiving the balance of his pension, and when he has received it within a short time spends it, and again becomes an inmate of the workhouse. As regards the Army Reserve men, there is at present no similar provision; but, as already stated, the number of such men in workhouses is very small.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—TRIAL AND SENTENCE ON MR. J. HALPIN FOR THE ENNIS MEETING — COUNTY COURT JUDGE KELLY.

MR. COX (Clare, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to the following report, which appeared in *The Star* of June 21:—

"The sentence of three months' imprisonment passed on Mr. James Halpin for the Ennis meeting was yesterday confirmed at the Quarter Sessions by County Court Judge Kelly. An application to make the prisoner a first-class misdemeanant was refused. Colonel Turner gave evidence of the circumstances attending the meeting at Ennis in an old corn store. Judge Kelly: How is it you did not arrest the promoters of the meeting?—The Witness: They did not give me the chance.—Judge Kelly: Oh, yes, they did. They came down here from Dublin. It is hard to punish poor people, and allow these fellows, the organizers, to go free.—The Witness: I would be only too glad to arrest them if I thought I had a chance. The Judge: Their presence was quite enough. You had the placard and the articles in *United Ireland* calling on the people to go and hear Mr. Davitt;"

and, whether, if a prosecution is instituted, he will undertake that no part of the proceedings will be heard by Judge Kelly, in view of the fact that the prosecution was recommended by him?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, the learned Judge did not admit the accuracy of the printed version of what occurred; and, as regarded the

last paragraph, it was not intended to institute any further prosecution.

POOR LAW (IRELAND)—BALLINASLOE POOR LAW BOARD.

MR. HARRIS (Galway, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that in the Ballinasloe Poor Law Board the elected Guardians and the *ex officio* Guardians are nearly equal as regards numbers; that, owing to this fact, close and bitter contests have arisen from time to time at the election of Chairman and Deputy Chairman to the Board; why, having regard to this state of things, did the Local Government Board delay a fortnight before they replied to the objections sent to them against the election of Mr. John Gardiner as Chairman of the Ballinasloe Board of Guardians; whether they have pronounced the action of the gentleman who presided at the election of Mr. John Gardiner, on the 4th of April last, as illegal, and have issued an order for a new election; whether he is aware that the gentleman who acted in this illegal manner had the sanction of the Local Government Board to act as presiding officer, and that he was voted into that position by the *ex officio* Guardians, and against the will of the elected Guardians, and that this course was at variance with the usage of the Board, which up to that time always got the Clerk of the Union to act as presiding officer at the election of Chairman; whether the Local Government Board have received a formal communication signed by six of the elected Guardians claiming the Chairmanship for Mr. Thomas Byrne, who got 18 votes, Mr. Gardiner getting 19 at the election of April 4, on the ground that some of the *ex officio* Guardians who voted for Mr. Gardiner had no legal right to vote; whether, at the election held on May 16, a formal protest was handed to the Chairman objecting to a new election on the ground that Mr. Byrne was the legally elected Chairman of the Board, and formal objections lodged against Major Thornhill, Mr. Orme Handy, and Mr. J. W. Potts, as having no right to vote at the election of Chairman; whether it is true that in the interval between the 14th of May, the day on which these objections were lodged with the Local Government Board, and the 23rd of May, the day on which the new Board first met, no answer to these objections had been received from the Local Government Board; that in consequence of such delay the Board had to adjourn, being powerless to go on with business while in a state of uncertainty as to their right to act as a legally constituted body; and, is it on account of this failure on the part of the Ballinasloe Poor Law Board to fulfil duties which, owing to the inaction of the Local Government Board, they were powerless to perform, that paid Guardians have been sent down to transact the business of the Union?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, his answer to the 1st and 6th Paragraphs of the Question was in the affirmative. Last year a close contest did take place in reference to the election of Chairman and Deputy Chairman. That was not the case in 1886 or 1885. The Local Government Board communicated their decision to the Clerk of the Union one week after the formal protest in the matter was addressed to the Board. Therefore, there was no unusual delay. The Local Government Board had not pronounced the action of the gentleman who presided at the election of Mr. Gardiner as illegal. Upon the receipt of the objection referred to the Local Government Board sent down an Inspector to make inquiries; but while such inquiries were proceeding, and before the Board had arrived at its decision, a meeting was held by the Guardians on the 23rd of May; and it was of such a character, having regard to previous occurrences, that the Local Government Board felt constrained to relieve them of their responsibilities. There was nothing to prevent the Guardians performing their ordinary functions, pending the decision of the Local Government Board in regard to the alleged illegality in the election of Chairmen.

POST OFFICE—THE SCOTCH DAY MAILS FOR THE CONTINENT.

MR. WATT (Glasgow, Camlachie) asked the Postmaster General, Whether, since the recent acceleration of the train service between Scotland and London, the Scotch day mails for the Continent have been sent by the evening's mail *viâ* Calais instead of next morning; and, whether he will consider as to the de-

sirability of giving the same rapid despatch to letters carried by the Scotch day express on Fridays for India, China, and Australia?

THE POSTMASTER GENERAL (Mr RAIKES) (Cambridge University): An acceleration has taken place of the train which brings the Glasgow morning bag to London, and it has been found possible to send forward the same night the letters received in this bag for the Continent. The receipt of foreign correspondence in London at so late an hour is, however, attended with much inconvenience; and it is proposed from the 1st of July to despatch the Glasgow bag by an earlier train and to bring it to London by the East Coast route, so that a longer interval in London may be secured. When this change is made, I hope it may be possible to send forward not only letters for the Continent, but also letters for India, Australia, &c. There is, however, a greater difficulty in dealing with correspondence for India, China, and Australia than with correspondence for the Continent, because the mails for the East must be closed in London, whereas a portion of the correspondence for the Continent can be dealt with on the journey between London and Dover; and in promising that an endeavour shall be made to forward the correspondence for the East the same day, it must be understood that there may be occasions when it will be impracticable so to do. The same facilities will be afforded to Edinburgh as to Glasgow in respect both to correspondence for the Continent and to correspondence for the East from the first proximo.

SHOP HOURS REGULATION ACT—OVERWORK AT HACKNEY.

MR. WINTERBOTHAM (Gloucester, Cirencester) asked the Secretary of State for the Home Department, Whether his attention has been called to the following case:—

"Summonses were applied for on June 16, at the Dalston Court, by the Home Secretary of the Shop Hours Regulation League, against certain shopkeepers in Mare Street, Hackney, for having infringed the provisions of the Shop Hours Regulation Act. The applicant pointed out that, from observations he had himself made, certain of the shop-assistants were kept at work 80, 90, and even 100 hours a-week by the persons against whom the summonses were asked for. The magistrate, Mr. Horace Smith, refused to grant the summonses, unless the young persons thus overworked (and whom it was proposed to subpœna to give evidence) themselves attended and supported the application for the summonses;"

whether any person has the power to institute prosecutions under the Factory Acts and under the Cruelty to Animals Acts; and, whether he will call the attention of the magistrate to the fact that summonses under the Shop Hours Act have been always granted by the Lambeth, Wandsworth, Marylebone, and other Metropolitan Courts?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I have been in communication with the magistrate on this matter. He did not refuse to grant the summonses because the young persons alleged to have been overworked did not attend to support the application; but because the applicant failed to give sufficient evidence. He had not communicated with the persons employed, and was not able to say whether any of them had been employed beyond the lawful time; but merely that certain shops were open at certain hours. Any person can institute prosecutions under the Factory or the Cruelty to Animals Acts. It is within the magistrate's discretion to decide whether or not a summons should be issued on the evidence brought before him; and I must decline to make any official representation to the magistrate on the matter.

ADMIRALTY—HER MAJESTY'S BIRTHDAY AND CORONATION DAY AT THE DOCKYARDS.

MR. CONYBEARE (Cornwall, Camborne) asked the First Lord of the Admiralty, Whether Her Majesty's Birthday and Her Majesty's Coronation Day are kept as public holidays in the Dockyards as well as in other Government Offices; whether, on the occasion of the celebration of Her Majesty's Birthday on the 2nd instant, the 10 men employed on fire duty in the Devonport and Keyham Dockyards were on duty the whole day, and have received no extra pay or gratuity in consideration of the loss of their holiday, being told, on application, that they would receive nothing beyond their ordinary pay; whether these men are to remain on duty during the whole of the holiday to be observed on the 28th instant in connection with Her

Majesty's Coronation; and, if so, whether he will consider their claim to some extra gratuity; and, whether, at the other Government Dockyards, men have to remain on such extra duty during Sundays and holidays; and, if not, why this stringent regulation is enforced at Devonport alone?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): Her Majesty's Birthday and Coronation Day are both kept as public holidays in the Dockyards; but only the former is so observed in the Government Offices. In accordance with the Regulations which govern all the Dockyards, men who are retained beyond the ordinary working hours receive the extra pay laid down by scale for the performance of such extra duty, and there is no intention to depart from the instructions. I understand that the Regulations are uniform in this respect in all the Dockyards.

ADMIRALTY—DEVONPORT DOCKYARD —PAY OF LABOURERS.

MR. CONYBEARE (Cornwall, Camborne) asked the First Lord of the Admiralty, Whether the labourers in the Devonport Dockyard are, or used to be, entered on the terms that they should receive 15*s.* per week, with a rise of 1*s.* per week at the end of two years, on the recommendation of their officers, and a second rise of 1*s.* per week at the end of seven years; whether the Order under which labourers now working in the yards entered has been cancelled; and, if so, when and by whom; and, if not, whether he will see that its terms are properly carried out; whether in the Dockyards other than Portsmouth the labourers are receiving from 18*s.* to 21*s.* a-week; and, whether these are the terms of hire upon which the latter entered?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): The minimum pay of Dockyard labourers is 15*s.* a-week; but there is no stipulation as to an increase being given after certain periods. There has been no alteration in the Regulations in regard to the payment of labourers. The amount of pay given to labourers in all the yards is governed by the same Regulations—namely, 15*s.* to 17*s.* per week. It is only when employed on certain special duties that any extra pay is given, and all labourers are entered under similar conditions.

RIOTS, &c. (IRELAND)—MR. DILLON, M.P.—DISTURBANCE AT DUNDALK.

MR. W. O'BRIEN (Cork Co., N.E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, after the committal to prison of the hon. Member for East Mayo (Mr. Dillon) at Dundalk on Wednesday, a body of armed policemen forced their way through a crowd who were peacefully listening to an address from the balcony of the Imperial Hotel; whether, at the same time, a party of Dragoons charged through the crowd with drawn swords from the opposite side; whether the police, with their clubbed rifles and swords, injured many members of the crowd, and placed one man's life in danger; whether there was any proclamation forbidding the people to assemble, or any warning given, or the Riot Act read, before the police and Dragoons wedged their way through the crowd, or any disturbance during the delivery of the previous address before the police commenced their attack; and, who ordered the police to force their way through the meeting, with what object, and by what authority?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The County Inspector of Constabulary reports that the facts are not as represented in the Question. A body of armed policemen did not force their way through the crowd; but as an escort of police with batons, having in charge three prisoners, were passing through the crowd which blocked the street immediately after the hon. Member had ceased to speak, the police were stoned and a rescue of the prisoners attempted. The Dragoon escort returning from duty did not charge the crowd. The Resident Magistrate ordered them to move through the crowd and assist the police in dispersing it. The Cavalry had their swords drawn as usual. So far as I can ascertain, nobody's life has been endangered. There was no proclamation, nor was the Riot Act read. The police did not attack the people; but by order of the Resident Magistrate endeavoured to clear the street, which was quite blocked, and to prevent further disturbance.

MR. W. O'BRIEN: The right hon. Gentleman has not answered my Question as to whether there was any disturbance during the time that I was delivering my address; and is it not the fact that it was only when the solid body of the police, which the right hon. Gentleman has mentioned, forced their way through the crowd that was jammed in a narrow street, that it was then, and then only, that such stones were at all thrown.

MR. ROWNTREE (Scarborough): Before the right hon. Gentleman answers, may I ask him, arising out of his answer to the Question of the hon. Member, whether it is not the fact that some of the police got their rifles by the muzzles and hit their hardest at the heads of men who were endeavouring to escape?

MR. A. J. BALFOUR: Well, Sir; I should think that the statement made in the last Question is not the fact; and with regard to the Question of the hon. Member (Mr. W. O'Brien), I do not mean to say that I am perfectly certain, but it is extremely probable that no disturbance occurred until the police were attacked. The disturbance then consisted of stone-throwing at the police, who were compelled to take notice of such unlawful action.

MR. W. O'BRIEN: Then do I understand that the right hon. Gentleman admits that no disturbance whatever took place, and that no stones were thrown, until upon the one side the Dragoons rode into the crowd, and upon the other side the police forced their way through them while they were peaceably listening to addresses like my own?

Mr. A. J. BALFOUR: The hon. Gentleman is not to understand that, nor is that the inference from my answer. What I understand was the police were escorting three prisoners, and when they arrived on the scene where the crowd was standing which had been listening to the hon. Gentleman the crowd proceeded to throw stones. Under those circumstances, it appears to me that the Resident Magistrate was fully justified in acting as he did.

MR. W. O'BRIEN: Will the right hon. Gentleman give any answer as to why the force of police with a couple of prisoners should force their way through a crowd which was engaged in a perfectly legitimate occupation? Why could not they have waited, or gone round another way?

MR. A. J. BALFOUR: It seems to me that the hon. Member mistakes the functions of a public highway; it is not for the purpose of enabling anyone to gather a crowd together and to make a speech, but to enable persons to get from one point to another.

MR. W. O'BRIEN: I want to know, as a matter of fact, whether any warning was given the people that they were not perfectly within their rights in standing there and listening?

MR. A. J. BALFOUR: I believe, as I have already stated, there was stone-throwing by the people; and I do not know whether, under those circumstances, any further notice is required to be given.

PRISONS ACT, 1865—EMPLOYMENT OF THE TREADMILL IN PRISONS.

MR. W. A. MACDONALD (Queen's Co., Ossory) asked the Secretary of State for the Home Department, Whether the treadmill is still employed in the prisons of the United Kingdom; whether this form of hard labour has long since been condemned by prison reformers as cruel and unprofitable; and, whether he will consider the feasibility of substituting for it a kind of labour at once useful and more humane?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): Yes, Sir; the treadmill is still employed, as it is enjoined by the provisions of the Prison Act, 1865. I am not aware that this form of hard labour has been condemned as cruel and unprofitable. Whenever it is possible, the labour is utilized for the purpose of pumping or grinding; so it cannot be called useless, and I do not think it is inhumane.

GOLD MINES (WALES)—SPECULATIVE LEASES OR LICENCES—RIGHTS OF THE CROWN.

MR. OSBORNE MORGAN (Denbighshire, E.) asked Mr. Attorney General, Whether the Crown claims the right to grant speculative leases or licences empowering the holders thereof to enter upon freehold lands in Wales adversely to the freeholder and to search for gold and silver thereon, even where the existence of such metals has not been

proved, and thus indirectly to force upon the freeholder the alternative of taking a mining lease of such precious metals under his own lands; and, if so, under what statute or other authority such right is claimed?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): The Question which the right hon. and learned Gentleman asks me is, in reality, one of law, upon which he is as well able as I am to form an opinion; but, as I understand the law, in the absence of substantial evidence that gold and silver is to be found in the lands, the Crown does not claim the right to grant licences to enter upon lands adversely to the freeholder.

CRIMINAL LAW (ENGLAND AND WALES)—ROBERT TRAVIS, CONVICTED OF MURDER—COMMUTATION OF SENTENCE.

MR. SWETENHAM (Carnarvon, &c.) asked Mr. Attorney General, Whether, having regard to the sentence of death passed on Robert Travis at the Chester Assizes, in May, 1886, for the murder of Mrs. M'Intyre, of the subsequent commutation of that sentence to penal servitude for life, and that his case was under the consideration of two Home Secretaries in succession, and that afterwards, on its reviewal by Lords Bramwell and Esher, Travis was released in the present month, he will recommend the Government to bring in a Bill, or to add a clause to the Criminal Evidence Bill now before the House, giving to a prisoner convicted of a capital offence an absolute or conditional right of appeal?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight): The question of appeal on questions of fact in criminal cases is one of such vast importance that I am afraid it is not possible to introduce a Bill dealing with the matter in the present Session; and it would be beyond the scope of the Criminal Evidence Bill to introduce any such clause into that measure.

PARLIAMENTARY UNDER SECRETARY TO THE LORD LIEUTENANT OF IRELAND BILL.

MR. RENDEL (Montgomeryshire) asked the First Lord of the Treasury, Whether it is the intention of the Government to proceed further with the Parliamentary Under Secretary to the Lord Lieutenant of Ireland Bill, now standing on the Paper for Thursday next?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): Yes, Sir.

NAVY—SEAMEN OF H.M.S. "ASIA"—PAYMENT OF WAGES.

MR. CONYBEARE (Cornwall, Camborne) asked the First Lord of the Admiralty, whether the seamen of H.M.S. *Asia* have been paid off; and, if not, how long it will be before they will receive the wages due to them; whether he is aware that the seamen of Her Majesty's ships are, as a rule, kept waiting for two or three weeks after the end of each quarter before receiving any payment; and, whether, if on inquiry this should be found to be the case, he will take steps to cause the men to be paid in future without any such delay?

THE FIRST LORD (Lord GEORGE HAMILTON) (Middlesex, Ealing): No orders for paying off Her Majesty's ship *Asia* have beeen issued. The men in sea-going ships are paid monthly, and in harbour ships weekly; but in order to make the quarterly settlement ordered by the Regulations, the last weekly payment in each quarter is held over the last day of that month. This defers the weekly payment at the end of each quarter for a few days. There seems to be no sufficient grounds for making any alteration in the Regulations.

METROPOLITAN BOARD OF WORKS—TRANSFER OF POWERS.

MR. HOWELL (Bethnal Green, N.E.) asked the First Lord of the Treasury, Whether, in the event of the clauses relating to the government of London, in the Local Government Bill, failing to pass into law this Session, the Government will, in consequence of the disclosures which have recently taken place, consider the propriety of dissolving the Metropolitan Board of Works, and of temporarily handing over the whole of its authority to, and of vesting its powers in, a Royal Commission, until Parliament shall determine as to the government of London by the creation of the proposed County Council?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I am not prepared to admit the probability of the contingency referred to by the hon. Member; and therefore it is not at all necessary to consider what should be done in the event of such a contingency.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

MR. SUMMERS (Huddersfield) asked the First Lord of the Treasury, Whether there was any foundation for the statement that had appeared in the morning papers, to the effect that the Government intended to afford facilities for the discussion of the Sale of Intoxicating Liquors on Sunday Bill?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The hon. Gentleman gave me Notice of his Question as I came into the House. I have referred to the Order Book, and I find that the Bill to which the hon. Member refers stands on the Paper for Wednesday, 11th of July. Having regard to the great interest felt in the question in the country, and the excitement which has prevailed on the subject during the last few weeks, if the Bill is not reached on that day, I will endeavour to find an opportunity for the hon. Member (Mr. J. C. Stevenson) to take the judgment of the House upon it.

SIR WILFRID LAWSON (Cumberland, Cockermouth): May I ask the right hon. Gentleman, whether the Government intend to support the second reading of the Bill?

MR. W. H. SMITH: I hope the hon. Baronet will be content to wait for an answer to that Question until the Bill is reached.

MR. LABOUCHERE (Northampton): Are we to understand that, if the second reading be passed, the Government will give further facilities?

MR. W. H. SMITH: No, Sir; I can undertake nothing of the kind.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—CONVICTIONS FOR CONSPIRACY—JUDGES' NOTES.

MR. T. M. HEALY (Longford, N.) asked, If the Solicitor General for Ireland could now inform the House of the number of persons under imprisonment charged with taking part in criminal conspiracy to induce others not to do what they had a legal right to do; and, further, if he can give any statement to the House as to whether it is intended to furnish the House with the notes of the Judges' decision in the conspiracy cases?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) asked for Notice of the Question.

MR. T. M. HEALY said, he asked the Clerk at the Table to place his Notice of the Question, which was on the Paper on Friday, on the Paper for Monday. He did not know why it had not been so put down. Upon the first occasion the hon. and learned Gentleman asked him for further time, and now the Government had seven days' Notice of the Question; and surely they could inform the House how many persons might be, perhaps, illegally in custody upon a charge which the Exchequer Division had decided is insupportable.

MR. MADDEN repeated that he must ask the hon. and learned Gentleman to give Notice of the Question. If he did so, the information would be at once forthcoming.

MR. T. M. HEALY said, he would put a Question on the Paper for to-morrow.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—IMPRISONMENT OF MEMBERS.

MR. W. A. MACDONALD (Queen's Co., Ossory) wished to ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether it was true that three Members of the House of Commons were in prison under the Crimes Act for precisely the same offence that two of the number—the hon. Member for East Mayo (Mr. Dillon) and the hon. Member for South Armagh (Mr. Blane)—were suffering as common criminals, while the third—the hon. Member for North Monaghan (Mr. P. O'Brien)—was treated as a first-class misdemeanant; what was the reason for that difference of treatment; and, whether it was just to visit the same offence with such widely disproportionate penalties?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I presume the gravity of the offence depends

upon the surrounding circumstances, and I do not admit that the offences in all these cases were identical. Moreover, I believe those who administer criminal jurisprudence have never yet found a means by which absolute uniformity of punishment should be arrived at when the offences were identical.

MR. CONYBEARE (Cornwall, Camborne): Am I to understand that, as the Riot Act was not read at Dundalk, the Riot Act has been repealed?

MR. SPEAKER: Order, order!

CRIMINAL CASES (IRELAND) (INCREASE OF SENTENCES ON APPEAL)—THE RETURN.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): Mr. Speaker, perhaps it will meet the convenience of this House if I make a statement in reference to the Return asked for by the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley). I did my best to have that Return printed, and the printers in Dublin worked the whole of Saturday and also on Sunday. I have got over at this moment 24 copies, and they are at the disposal of the House. I think, perhaps, the best method of distributing them will be to give them to the hon. Gentlemen who are in charge of the Business of the House, who will distribute them to those Members on both sides of the House who are in urgent need of them for the purpose of speaking.

BUSINESS OF THE HOUSE.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): As it has been intimated to me that probably the debate on the Motion of the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) will not be concluded this evening, I beg to give Notice that at the Sitting of the House to-morrow I shall move that the adjourned debate have precedence of Notices of Motion and Orders of the Day. I also beg to give Notice that I shall move to suspend the Twelve o'clock Rule.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): At what time does the right hon. Gentleman propose that the House shall sit to-morrow?

MR. W. H. SMITH: At the ordinary hour, at 3 o'clock.

MOTIONS.

—o—

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887.

RESOLUTION.

MR. JOHN MORLEY (Newcastle-upon-Tyne), in rising to move—

"That, in the opinion of this House, the operation of 'The Criminal Law and Procedure (Ireland) Act, 1887,' and the manner of its administration, undermine respect for Law, estrange the minds of the people of Ireland, and are deeply injurious to the interests of the United Kingdom,"

said: With reference to the remark that was made by the right hon. Gentleman opposite a moment ago, as to the production of this Return, I may perhaps be allowed to say that I myself only received it, and I am indebted to his courtesy for it, at 2 o'clock this afternoon. All I have been able to gather from that Return, so far, is that it contains 61 pages and rather more than 2,000 cases. Among these cases it is quite clear, I should think, that there is a considerable number of unjust arrests, which were in consequence withdrawn. As to basing any argument on so cursory a survey of this elaborate Return, it is obviously impossible to do so. I will only begin what I have to say by remarking how singular it is that we were asked to discuss the introduction of the Crimes Act without any statistics or figures as to the crimes which were supposed to justify that Act, and that we are now about to enter into a discussion of the operation of that Act without having had any fair or reasonable time to digest the details of this Return.

In no quarter of the House will it be thought necessary that I should make any apology for interrupting by this Motion the Bill which would have been otherwise before the House. One of the Three Kingdoms has been for nearly a year placed by Parliament under exceptionally repressive legislation. Seventeen or more Members of this House have been imprisoned in consequence. In one gaol in Ireland at this moment there are more than 40 prisoners under this Act. Collisions between the police and the people have been of almost unexampled frequency. What is most important of all, perhaps, the High Court of Ireland pronounced the other day a judgment

which is in effect discrediting to the most important part of the machinery by which this Act is worked. The right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) on Friday, when I gave Notice of this Motion, said that he understood it to challenge the conduct of the Government in every respect. Yes, Sir, in every respect. We challenge the policy of this Act, and its administration; we challenge its justice, we challenge its expediency, we challenge its wisdom, and we challenge even your allegations of its transient and temporary success. There are two special reasons why I have brought forward this Motion at the present moment. The first of those reasons is that peculiar difficulties have been experienced within the last few weeks in obtaining from the Irish Minister full and accurate information as to what has been really going on in Ireland. Questions have been asked with the object of eliciting information on the subject, and the replies of the right hon. Gentleman have led us to doubt, not his intentions, but his knowledge of what has been going on there. Out-of-doors the right hon. Gentleman has been guilty of more than one grave inaccuracy of statement. For example, in referring to the case of Mitchelstown, he said that the High Court of Ireland had decided that Leahy, the constable, who had been wounded, was legally occupied. I defied the right hon. Gentleman at the time to produce one syllable of evidence to show that the High Court of Ireland had ever said anything of the kind. I defy him now. The right hon. Gentleman made reference, in the matter of increased sentences, to a Return which he had before him, and the deduction from the surrounding arguments of the right hon. Gentleman was that we had gone beyond the mark when we said that increase of sentences of imprisonment under the Crimes Act was unknown to the law.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): The right hon. Gentleman is entirely mistaken. That was not my argument, nor was anything of the kind said.

MR. JOHN MORLEY: Certainly the inference drawn by most hon. Members on both sides of the House was the one I have indicated. I was going on to say that I have at this moment seen a full Return for the first time—since I came into the House to-day—and on the face of that Return it is obvious that not in any single case in the proceedings under the Crimes Acts was a sentence increased. I mean the Crimes Acts of 1881 and 1882. Again, the right hon. Gentleman came down one day not long ago—within this month—and told us that the certainty of justice being done was amply secured by the right to have a case stated in the Superior Court. A day or two afterwards he came down, and with a suavity—which from the point of view of accuracy of information I distrust almost more than his severer manner—he told us that the right of having a case stated was compulsory. We shall see presently how far that statement was calculated to enlighten the House as to the true facts of the matter. On another day, Friday last—although the minds of hon. Members of this House were so deeply exercised as to the treatment of prisoners under this Act—he actually said that he was not acquainted with prison rules. Questions are asked in this House every night as to the administration of these Acts, and they are answered by the right hon. Gentleman with statements that I should admire if they were bouts of College dialectic; but as the object is to bring out facts and to get the information we want, I think that it is most unfortunate that the right hon. Gentleman does not tell us plainly, and without fencing, what we seek to know. A Question is asked; the official answer is given; there are more Questions and more answers, and then after the process has gone on for a certain time, you, Sir, in the just and proper discharge of your duty, interpose, and the end of it is that the House is in no degree enlightened, but leaves off with a sense of bewilderment and confusion, and it is thought that Ireland must be satisfied because we are tired. We protest against the assumption that a matter is threshed out merely because there is a cross-fire of Questions and answers. There is another reason why this Motion is made. A Member of this House whom we all on both sides regard with respect, although we may not all endorse his policy, has been sentenced to imprisonment for a term of six months. I am told that it is a mistake in tactics to have brought forward this Motion now. Some

persons seem to think that politics are mainly made up of tactics. As a matter of tactics, I might remind the House of the example set by the noble Lord the Member for Rossendale (the Marquess of Hartington) in the Parliament between 1878 and 1880, when he and his Friends constantly brought forward Motions arraigning the conduct of the Government of the day, and were constantly beaten by immense majorities, varying from 100 to 140. But it all came to an end in 1880. And whatever may be the the result of this decision—we know substantially what the result will be—[*Cheers*]—whatever that result may be in this House, we know perfectly well that by taking the same analogy in 1890 the result will be what it was in 1880. [*Cheers.*] The other night hon. Gentlemen cheered very loudly the right hon. Gentleman the First Lord of the Treasury's promptitude in fixing an early day for this Motion. [*Cheers.*] Yes; but you would not have cheered so loudly if the right hon. Gentleman had got up and told you that he was going to send you to your constituents on the issue raised by my Motion. When I remember that the hon. Member for East Mayo—I should like, Sir, to be allowed to call him Mr. Dillon, for the fact of his being a Member of Parliament is a matter of very little importance to him or to anyone else just now and for long months to come—has been down to address vast audiences both in England and Scotland, and he has before those audiences said very much what he said the other day in Ireland in respect of which he has now been imprisoned—for my part, I should have regarded myself as one of the most contemptible of men if I had consented, when the holidays came, to enjoy books and refreshment of mind and all the glories of the summer weather, when I knew that Mr. Dillon was undergoing a sentence of this severity, unless I had taken an opportunity of arraigning the whole Irish policy of the Government, which can only be carried out by straining Statutes in order to lock up a man of Mr. Dillon's influence, power, and popularity. I shall presently say a word or two as to the special circumstances of this arrest and imprisonment; but the great political moral which we at this moment, as the virtual rulers of Great Britain and Ireland, have to draw is one which I fear this House at this moment will not draw, but which our constituencies are drawing—that, after all that has happened in Ireland and in this country within the last eight years, and more especially within the last two years, you can only carry your policy out by an Act which in itself is an admission that that policy is a failure. The right hon. Gentleman the Chief Secretary would deny that coercion is his only policy. [Mr. A. J. BALFOUR: Hear, hear!] He accepts that. Well, I notice that a few days ago he did the agent of an American newspaper the honour to grant him an interview. In the course of that interview he desired the agent to make a momentous communication to the American people, that he was maturing a policy, and that he had actually on the Table of the House three Bills—the Bills, I presume, for the better drainage of the Shannon and the Barrow. If he had said that he had a Bill for draining the Atlantic Ocean it would have been a matter of more lively interest to the American people, and not a whit more foolish as a policy for Ireland. I wish to say something now as to the scenes at Dundalk the other day. At every station on the road as Mr. Dillon went from Dublin to Dundalk the line was crowded with admirers. [*Laughter.*] The hon. and gallant Member for North Armagh (Colonel Saunderson) laughs. I shall have a word to say to him before I have done. At Drogheda there was a great assemblage of the people of the town, with the Mayor at their head. At Dunlear there was another great crowd, and another address was presented to Mr. Dillon. When he got to Dundalk there was an address presented from the Board of Commissioners, from the Board of Guardians; all the town was decorated as if, not a criminal, but a hero were coming. And the last address that Mr. Dillon received before he went off to gaol was one which is worthy of more consideration. It was an address from 150 Members of this House. Most of them are Members whom you yourselves would admit not to be lowest in repute, credit, honour, or substantial position in this House. They met this criminal to tell him that never before had Englishmen been so ashamed of this old story in the relations between Great Britain and Ireland, and never

before so keenly alive to the meanness of visiting punishments springing from our own misgovernment of the Irish people on hon. Members of this House. These scenes are the latest outcome of nine months of coercion. They are the last fruit of the present policy of the Government, the last triumph of the policy of law and order and of the attempt to bring the mind of Ireland over to the side of England. Gentlemen on the opposite Benches know as well as I do that it is not only in Ireland, not only among politicians in this House, that great and profound sympathy is felt for this criminal. You know as well as I do that there are not three men in this House—I am not sure that there is more than one — whom our great audiences would more rejoice, and do more rejoice, to see and hear and receive with acclamation than the man whom you have chosen to put in prison.

In all these circumstances it is our duty to call the attention of the House to the conditions of his incarceration. I am not going at any length into the legal aspects of the matter, because this House is not the best tribunal for considerations of that kind. But there are one or two points which are of supreme importance in view of the character of the proceedings at Dundalk. The first is that Mr. Dillon was brought into a Crimes Court by the action of a Proclamation which was *ex post facto*. I do not dispute for a moment that, having issued the Proclamation, you had a right to try Mr. Dillon in a Crimes Court; but let us look at the state of the matter before the issue of the Proclamation. Mr. Dillon's speech was either an offence against the ordinary law or it was not. If it was not an offence against the ordinary law, then I remark in passing that it is clear that you will have to abandon your position that your Act creates no new offences. If it was an offence against the ordinary law, why did you not bring Mr. Dillon up before a Louth jury? The right hon. Gentleman the Chancellor of the Exchequer smiles. If he knows anything about Ireland at all, which I sometimes doubt, he must know that Louth juries are among the best to be found in Ireland. If, therefore, a Louth jury could not be trusted to secure a conviction in this case, what a testimony is that to the state of mind in Ireland towards your rule! Passing that by, let me remark that the speech was made, I think, on the 20th of April or thereabouts. When Mr. Dillon made that speech he made it subject to prosecution, if his offence was an offence under the machinery of the ordinary law. I beg the House to remember that. The Proclamation was issued a few days afterwards. Why? This Proclamation was issued solely, merely, and entirely to deprive Mr. Dillon of the protection, security, and guarantees which the ordinary law gave him. It was done entirely to bring him within the special machinery of this Act. Nobody contends for an instant that there was any crime in Louth or any threatened outburst of crime in the county. It is one of the quietest parts of Ireland. There was nothing in the state of the county to justify the Proclamation, and the upshot of my argument is that this Proclamation was issued to deprive Mr. Dillon of securities which were in full force at the time when he committed the offence; these securities you took away from him after the offence was committed, and then you punished him. Now, I put it to the House, can you wonder after a proceeding of that kind that people say, and say in England as well as in Ireland, in regard to retrospective legislation so alien as this to the whole spirit of English jurisprudence and English policy—that it was prompted by a desire not to punish a criminal but to reach a political opponent? So much for the Proclamation. And now there is another point. At the trial before the County Court Judge at Dundalk a legal point of some intricacy and importance was raised. Into that question I am not going to enter at this moment; but if this case had been heard before a jury, and if this point had been raised, Mr. Dillon would have had an opportunity of having his case reviewed. Mr. Kisbey refused to place on his order the grounds on which he convicted. The effect of this was that Mr. Dillon was prevented from having his sentence reviewed and its legality tested by a Superior Court. Mr. Kisbey declined to make what I believe is known as a "speaking" order, and by so declining he sheltered his own decision from review by a Superior Court. I shall have a good deal to say presently

as to the practice in other cases, but I wish to make that point clear. Let me say at once that if Mr. Dillon's speech was illegal, if the Plan of Campaign is illegal, and if his speech was an incitement to resort to the Plan of Campaign, then, like all others who break the law, Mr. Dillon must have been prepared to face the consequences. But about the Plan of Campaign, may I say that it seems to me there is a great deal of loose talk about the matter? General terms, as we know—and the right hon. Gentleman the Chief Secretary knows this as well as I do—relating to all subjects get into circulation and are used to cover inconvenient facts. I only say one thing about the Plan of Campaign, which I said before in the House, and which I say now after a further and longer observation of it. So far as I can hear no substantial injustice has been done under it. I have never heard of a case where the reduction demanded and carried out by the operation of what is called the Plan of Campaign, and where there was a chance of comparing them, exceeded the reductions that have been made in the same or similar circumstances by the Land Commission. It will be found so. I believe my right hon. Friend the Member for Central Bradford (Mr. Shaw Lefevre) has taken great pains to inform himself accurately and fully as to the precise circumstances attending Mr. Dillon's speech, and he will probably later on this evening describe all the details to the House. I have seen a number of documents, including a letter from a distinguished dignitary of the Church, which clearly show that the tenants to whom Mr. Dillon went to speak were originally right; that the whole dispute had its origin in the invincible hostility of Lord Massereene to combination; that his agent resigned because he refused reductions. [An hon. MEMBER: Was dismissed.] I beg pardon, was dismissed; that the question might have been originally settled on the terms now proposed by Lord Massereene himself; that the remaining questions at this moment are two—not reduction of rent, that is conceded—but the payment of costs in cases which have been taken to Superior Courts. They are very ready to invoke the Superior Courts when the object is to harry tenants. They are very careful to keep away from these Courts when it is a question of justice to the tenants. That is the first difficulty. The second difficulty is the reinstatement of those evicted men who have been leaders in the combination, and who are admitted to have been substantially in the right from the first. These are, I believe, the things Lord Massereene has been fighting for—the power of dealing with individuals and the power of resisting combination. There we have the whole situation and the whole secret of the administration of this Act in a nutshell. The process is this—a just reduction is refused, then there is a combination; and I am glad to think that in these cases there is a combination; then somebody makes a speech to the tenants, then the coercion machinery is invoked, the district is proclaimed, and the man who makes the speech is tried without a jury and gets a double sentence because he is a leader of great popularity and importance. We told you all along that the object with which the Crimes Act would be worked would be to prevent legitimate combinations. I admit that Mr. Dillon used words which, in my opinion—and probably in his own opinion also when he had had time to reflect upon them—were regrettable. "If any man broke himself from this combination"—I am quoting the words—"his life would not be a happy one." I admit that that was regrettable language. [*Cheers.*] Yes; but do not let us have any cant about that. My right hon. Friend the Member for West Birmingham and the hon. Member for West Nottingham, I myself, and all who have known the history of Trade Unionism, know very well that language a hundred times more violent and dangerous was habitually used in connection with those disputes until you altered the Law of Trade Combination; and the remedy—the way to get rid of this language and the combinations which prompt this language—is to do with regard to agrarian combinations in Ireland what Parliament did for trade union combinations.

I venture now to quote the hon. and gallant Member for North Armagh, as explaining still further the object and intent of this Act. I hope I shall always speak of the hon. and gallant Member with respect, for he shows many popular qualities in this House. Here is a speech he made in the town of Ayr. He is reported to have said—

"He would never be satisfied, and his people would never be satisfied, until they placed their heels upon their necks."

[Colonel SAUNDERSON: Hear, hear!]

"It might be said this was a bloodthirsty policy."

[An hon. MEMBER: Rather.]

"If they only manfully came forward and assisted the Government in laying in Ireland that respect for life and property which was the foundation of the prosperity of every civilized country, they would be conferring upon the Empire an unqualified benefit, and an inestimable blessing upon Ireland, his country."

[*Cheers.*] Yes; but do not you see what you are thinking of is the defence of life and property in Ireland? What he and his friends, whose dupes you are—what they are thinking of is placing their heels upon the necks of the majority of their own countrymen.

Now a word as to equality of treatment. If Mr. Dillon had got up a meeting for promoting a Constitutional movement against the Government of this country, he would have been a first-class misdemeanant by the decision of Parliament a dozen years ago; he gets up a combination to induce a landlord to reduce his rent, and he is a common criminal. That is a difference which ought to make a deep impression on the minds of this House, as I am sure it will on the minds of people outside. Again, if Mr. Dillon had been a priest, he would have been a first-class misdemeanant. In all cases, I believe, except one, up to the present time, the priest has been treated as a first-class misdemeanant. Were they placed in prison clothes? You have boasted of your resolution to treat one man exactly as you would treat another; that you would have no respect for cloth or for a Member of Parliament—all those things show that the pretence of equality and impartial administration of the law is a farce and a mockery.

I will pass on to another point in support of this Motion. On May 17, 1887, the right hon. Gentleman the Chief Secretary came down to the House and told us this—talking of the Crimes Act, which was then under our consideration—he said—

"There will be an appeal in every case to a County Court Judge, and if, on legal technicalities, the County Court Judge is objected to, the Government will be prepared to consider a plan for giving an appeal in cases in which a legal difficulty may be involved to a still higher tribunal."—(3 *Hansard*, [315] 284.)

Now, Sir, that was surely a promise of a plan of appeal to a superior tribunal. My charge is this—that the Government not only did not last year consider or propose in Parliament any plan, but that they have, in administering the law with obstinate pertinacity on every occasion, moved Heaven and earth to prevent higher tribunals from dealing with legal difficulties. They have on every occasion used all the resources of what I feel bound to call chicane to oppose testing nice points of law in Courts of real legal competency in Dublin. Would you not suppose that if there was a chance of a man being detained in illegal custody the authorities would rejoice at any opportunity being taken to have the disputable and disputed decision reviewed and considered? Sullivan's case was the first I can remember. He was brought up for conspiracy with others in refusing to shoe horses for Mrs. Curtin. An application was made to the Court of Queen's Bench for a *certiorari*. The Counsel representing the Crown—that is to say, representing the Government, who had promised the House of Commons to do their best to refer legal difficulties to a higher tribunal—argued with might and main that the Court of Queen's Bench had no power to go behind the warrant, and the Court of Queen's Bench refused the prisoner's application. Happily for law and justice, the ingenuity of the prisoner's counsel—who is a Member of this House—hit on the device of an application for a writ of *habeas corpus* to the Court of Exchequer. Here, again, the Crown Counsel struggled as hard as he had done in the Court of Queen's Bench to prevent a higher Court from testing the legal points in the decision of the two Resident Magistrates. This time the prisoner was successful. The Court of Exchequer decided the Resident Magistrates were wrong, that Sullivan was illegally detained, and he was ordered to be discharged. Take another case. A man named Brosnan was convicted of selling newspapers, and the magistrates in the Crimes Court refused to state a case for a Superior Court. Counsel for the prisoner applied for a *mandamus* to compel them to do so, Counsel for the Crown, as before, doing their best to obtain a refusal. In the result, owing to the ingenuity of the prisoner's coun-

el, the Resident Magistrates were directed to state a case; and the prisoner was released on bail, having undergone one-half of his imprisonment. The point on which the Resident Magistrates refused to state a case was one of great legal difficulty. I ask Chairmen of Quarter Sessions and other men of sense to realize to themselves the absurdity of a couple of ex-policemen hearing cases in a remote country town, far away from law books, and, without the opportunity of consulting with brother Judges, deciding nice questions of law which would puzzle the Court of Queen's Bench and the Court of Exchequer. To think of these things is to realize what a farce the administration of this Act is. I am sure the common sense and the intellectual integrity of the right hon. Gentleman the Chief Secretary ought to be revolted; but, so far from being revolted by it and taking steps to have the magistrates punished, the right hon. Gentleman coolly told the House of Commons that the ends of justice were amply secured by the existing right to have a case stated for a Superior Court. Existing right! What would have become of the existing right if my hon. Friend had not dug out of the law books precedents which enabled that right to be asserted and exercised?

A great number of the cases that have been brought before the House by Questions have been cases of refusal to deal, and they are of the greatest importance, because they have brought into the full blaze of a pretty fierce light the competency of the magistrates administering the Coercion Act. It is not to be denied by any lawyer that a man has a perfect right to abstain from selling to or dealing with another. An eminent Judge—Sir James Stephen—wrote an article just before the Coercion Act was brought in, in which he urged that, just as the driver of a hackney carriage is under a legal obligation to take as a fare or as a passenger any person for whom there is room and to whose admission there is no reasonable objection, so the same legal obligation to ply his trade should be imposed on a butcher, a baker, a chemist, a doctor, and, indeed, on everybody else. But neither Sir James Stephen nor anybody in the world is able to state that that is at present the law either in England or Ireland. If you wanted to make it illegal to refuse to deal, or to refuse to ply a trade, it was your business to have put a clause into the Crimes Act which would have made that change in the law. But you did not; and why? You may have thought you would have had some difficulty in getting such a clause through the House of Commons. I do not know why you should, considering that most of this Bill was passed in a lump without discussion. At all events, it was not proposed. But your Coercion Courts act just as if such a clause had been proposed and had been passed. I should like to give illustrations of the utterly odious way in which prosecutions for refusal to deal have been got up. Thank Heaven, there is no English word for it; we are obliged to use the jargon of Continental despotism, and to speak of the police acting as *agents provocateurs*. That is the expedient to which the Government have to resort. Here is the case heard at Fermoy, County Cork, of a man named John Moloney, who was charged with refusing to supply police constables. Two of them went into the shop, and the assistant refused to sell them a pair of boots they asked for. A few days afterwards, when the shopkeeper was in the shop, they went in and took up a small pair of boots and wished to buy them. The prisoner declined to sell them because they were required by a customer. One of the constables took up a second pair; the prisoner said he was busy attending to a customer, and the constable said he would wait. He then asked for any pair of boots in the house. The constables had been supplied with £1 by the District Inspector; and this is the cross-examination of one of them before the Resident Magistrates—

"What did he tell you to do?—He told me to get any pair of boots that were in the house. Was it for himself?—No. Any pair of boots you put your eyes on you were to get?—Yes. Did you go there by direction of your officer to entrap and ensnare this respectable man?—Certainly I went by directions. Was it for the purpose of a prosecution you went into these places?—I did not know at the time what it was for. Upon your oath, do you know the object for which you went in there?—Not at the time. Do you know it now?—Certainly. What was the object?—A prosecution. Did you want those boots or shoes for your own use?—No. Did you ask the price of the boots?—No. Is the District Inspector Jones you mentioned in Captain Plunkett's office?—I believe he is."

There is another case of the same kind.

A number of men were brought up charged with taking part in a criminal conspiracy to compel and induce shopkeepers not to deal with Mr. Leader, a local landlord. He swore at the trial that he had never before dealt with these men, and that he could get the goods elsewhere in the town. This is part of the cross-examination of Mr. Leader—

"Why did you go to these men whose doors you never darkened before?—I knew they were the most hostile people in the town, and that is why I went. Did you expect you would be supplied?—I was sure I would not be served. Knowing you would not be served, why did you go, if it was not for the purpose of getting up a prosecution against these men? (Considerable hesitation.) Can you answer?—I do not deny that I wanted to get up a prosecution."

There was no evidence of conspiracy; the only evidence was that there was a refusal to deal; and yet four of the defendants were sentenced to six weeks' imprisonment. In another case a number of persons were brought up at Miltown Malbay, charged with refusing to sell goods to a woman named Connell. Again, there was no evidence of conspiracy, but only of a refusal to supply goods, and yet four men were sentenced to three months' imprisonment with hard labour. They appealed; the sentence was doubled on appeal; and these men are in prison now, serving out the double sentence, for what, if the judgment of the Court of Exchequer be sound, is probably not an illegal act at all. One more case, again at Miltown Malbay, in County Clare. Twenty-four men were charged with refusing to supply goods to the police. The case arose in this way—A trial of a number of persons took place in this town on the 4th of February, and as at a trial which preceded that by some days it was found that some of the people who had taken drink during the day got into collision with the police, the parish priest requested the publicans of the town to close their houses on the day of this trial. The publicans obeyed. Evidence was given by various policemen that on the 4th they went to every public-house, and knocked at the door, but could not obtain admission. It was admitted that the police had in barracks as much refreshment as they required. On a previous occasion, when there had been prosecutions, disturbances had taken place. On this occasion all was quiet. The Rev. Father White, P.P., for the defence, gave evidence that the public-houses were closed at his request. He wished to prevent the possibility of a collision between the police and the people. In all 24 publicans were proceeded against. All were found guilty, and sentenced to one month's imprisonment; but an offer was made to release them if they made a promise to supply the police in future. Eleven refused to give any promise and went to gaol; 13 promised to supply the police, and were released. The 11 were sent to a month's hard labour for refusing to supply the police with drink on that one day. Yet the right hon. Gentleman the Chief Secretary has said—"What we are now fighting for are the elementary principles of private liberty; what we are maintaining is the cause of law, because it is the cause of freedom."

I now come to the Killeagh case heard last week. The charge there was that certain persons took part in a conspiracy to compel traders not to deal with members of the Irish Constabulary, and the defendants were sentenced to terms of imprisonment, the magistrates refusing to state a case. Against this refusal an appeal was made to the Court of Exchequer, and the actual words of the judgment have been reproduced in some of the English papers, but not in all. A constable said that he went into Heaphy's shop on the 16th of April to purchase some bread. Heaphy said that he would have nothing to do with it, but that his wife could give the constable the bread if she liked. The constable said that he put a shilling on the counter and saw some bread in the shop but did not get any. The Lord Chief Baron, in his decision on the case, said that there was a great deal of evidence that other persons on other days acted similarly towards the police, and he saw no reason to doubt that the magistrates had evidence from which they arrived at the conclusion that each of these persons had bread which they might have supplied if they had wished; and that their refusing to do so was in pursuance of common action. [*Cheers.*] Yes; but that refusal is not an offence at law. That is the point. Unless the element of conspiracy comes in and unless there is evidence of conspiracy no offence has been committed. What was the question which the two Resident Magistrates had to determine? The Lord Chief Baron

said that it was whether there was evidence of conspiracy or what he called undue influence, and he said that he was bound to state that he did not find a shadow of evidence in that direction. There was another and most extraordinary case, that of David Barry. This man was asked for bread and he sold it. Afterwards he was frightened at what he had done, and said that he would rather give the bread for nothing than take money for it, adding—"I do not like being a black sheep any more than anybody else." This miserable man, who was frightened out of his life because he sold bread, was punished with a fortnight's imprisonment for joining in a conspiracy to intimidate others not to supply bread. He hoped the right hon. Gentleman the Chancellor of the Exchequer would appreciate the comedy. The Lord Chief Baron very naturally said that he could not see that there was any evidence of intimidation against the man, or that his terror of mind and fright was evidence against him. "It was mistaking the injured party for the person who was doing the wrong." Yet the injured party suffered a fortnight's imprisonment for intimidating, though all the evidence went to show that he was himself under intimidation. Is it not true that these magistrates' Courts are more like Courts at a comic opera than anything else? On the other cases the Chief Baron said this—

"Was there evidence from which they could bring home that act of intimidation to any of the parties who were parties to this common agreement? Was this statement of the police evidence against them, and evidence that they intimidated? Now, it was quite clear that it was no evidence against them at all. There was no evidence that Heaphy was a party to the conspiracy within the Act of Parliament; and the same observation applied to the other two persons who were in custody."

Now, this is very important, and will have the effect, I hope, of stopping a most nefarious practice and of showing to the people of Ireland that the administration of the Coercion Act up to this point and in all this class of cases has been nothing more nor less than a scandal. But there was another Judge on the Bench who used to be a conspicuous ornament of this House—Baron Dowse. He dissented from the Lord Chief Baron's view, that the Court of Exchequer were entitled to go behind the warrant and take cognizance of what was going on in the Court below. That makes his remarks all the more important. Baron Dowse said that Mr. Healy had asked the magistrates to state a case and they had refused. Then Baron Dowse went on to say that there were several things which he had never been able to understand in the course of his life, and one of them was the mind of a local Justice, and he was even less able to understand very often the state of mind of a local Justice, of whose legal competence the Lord Lieutenant was satisfied. How the two Justices in question, the Lord Chief Baron said, could have satisfied themselves that the point made in favour of the case being stated was a frivolous one he could not comprehend. Why these Justices did not in a proper way state a case for the opinion of the Superior Court, I say, surpasses my comprehension. I hope for the future they will be wiser, and they will not be of opinion that a point practically decided by the majority of the Court of Exchequer, substantially decided by the majority, and practically decided by the whole of it, that that is a frivolous point. Whatever they may think privately, I do not think they can lay that down generally. I think they ought to bear in mind that men that are brought up under this Act of Parliament have rights, and that it is far better that acts should go unpunished rather than that parties should be punished against the law or by straining the law. Then Baron Dowse read a passage which is more a piece of history, and it is taken from a book which, some think, is a greater book almost than *Gibbon*—I mean Finlay's *History of Greece*. Mr. Finlay said that—

"Where true liberty existed every agent of the Administration from the gendarme to the Finance Minister."

Baron Dowse supposed that Resident Magistrates, of whose legal competence the Lord Lieutenant was satisfied, would be included, though I should think the Resident Magistrate was much nearer the gendarme than the Finance Minister—

"Where true liberty existed, every agent of the Administration must be rendered personally responsible to the State for the legality of every act he carries into action."

This, the historian said, and we say also, is the real foundation of English

liberty and of the great principle which distinguishes the law of England from some of the Continental nations of Europe. Now, I submit that this principle and these remarks of the Judges of the Court of Exchequer justify all that we said before this Act became law with regard to the Resident Magistrates, and they justify what I have said to-night, that neither their law, nor their common sense, nor their equity, are on so high a level as to make them safe substitutes for a jury. It exposes the absurdity of denying us the fullest criticism upon their action, and of blaming, as your Press does—and as, perhaps, you will do when you get up to defend your action—of blaming us for our criticism as an attack upon a body of men, as the right hon. Gentleman the Chief Secretary said, who, under rare difficulties, are vindicating with rare impartiality the cause of law and order in Ireland. Baron Dowse is a Judge of the land; it is he who says this of your Resident Magistrates, and I need say no more.

The arm of the Coercion Act under this Ministry is very long and very powerful. It can grasp a great political Leader, and also the most miserable waifs and strays of humanity. I will give the House an illustration. This case happened in May, and it has already been before the House in the form of Questions; but I think the House should hear the story. It is the case of an old man and his wife charged with "taking forcible possession" of an outhouse after they had been turned out of their holding. They had nowhere to go to, unless they lay down to die on the roadside. The agent who went to the place, in his evidence before Messrs. Warburton and Caddell, the magistrates, said—

"I closed up the door; I nailed up one door, and built up the other one; I put up a hasp and a staple to the dwelling house and built up the outhouses with stones. I next visited the place the same evening; I found a woman in possession of one of the outhouses, and saw himself going in after. The defendants are husband and wife; I asked them both to leave, and the female replied that they had no place to go to, and that the weather was cold."

The following conversation then took place—

"Dr. Levis (the landlord).—'I would ask you to deal leniently with them.' Mr. Warburton.—'It is a long time to keep possession since February.' Dr. Levis, J.P.—'Yes; but I am the person who has suffered most by it, and I would ask you to deal as lightly as you can with them, as they will give up possession to the parties with whom they agreed.' Mr. Warburton.—'How long have they been treating with him?' Dr. Levis.—'I cannot say, as it was only this morning for the first time they came to me, and they then said they were prepared to give up possession.' Mr. Warburton.—'Now, in this case both of you have made yourselves liable to a penalty of six months' imprisonment with hard labour. You have been keeping possession of this place in spite of all remonstrances and cautions of police, bailiffs, and everybody else, and you have been there for nearly three months—since the 20th of February. The Act leaves no option to us but to impose imprisonment. However, as Dr. Levis has said so much for you, we will take it into account.' The magistrates then sentenced the old man to one month's imprisonment, and his wife to a fortnight. Female Defendant.—'Oh, make it a fine on the old man; he is very delicate and feeble.' Dr. Levis—'I hope you'll reduce the imprisonment in the old man's case.' Mr. Warburton.—'We cannot, Dr. Levis. It is a long time to be over-holding possession.' Female Defendant (weeping bitterly).—'Oh, we never went to gaol before, and the poor old man is delicate. Wouldn't you put a fine on him, gentlemen?' The Bench were inexorable."

Thus, an old man of 75 years of age, scarcely able to stand, and so deaf that he knew nothing of what went on during his trial, was sentenced to a month's imprisonment for the "crime" of taking shelter from the inclemency of the weather in an outhouse on the holding from which he had been evicted. Now I hope that the right hon. Gentleman the Chief Secretary has released these two poor wretches; I daresay he has. But whether he has or not, what a light this case sheds on the temper in which your Act is administered! I will not detain the House much longer. I think I have said enough. Instead of keeping the House for an hour, I could keep it for three hours with cases of this kind if the conditions of debate would permit. But I want to state one or two pieces of evidence as to the effect of all this harshness, this brutality—this odious brutality—on the minds of the people. As to increased respect for the law, has it promoted even quiet or the exterior observance of the conditions of order and peace? It has not. One of the sections of the Crimes Act which the House will remember that we had prolonged debates upon is what is called the Star Chamber Section, allowing private preliminary inquiries to be held without any prisoner being arrested. That section has been put in operation in the county of Donegal; and I just want to read to the

House the evidence of a man whose authority and weight will not be denied. You are very fond of attaching importance to Ecclesiastical Rescripts. This is a little Rescript from the Bishop of Raphoe; and this is what he tells the Government as to the effect of their Star Chamber inquiry in the county of Donegal. He says—

"For the maintenance of good order among the people I am, by my position, more deeply concerned than any magistrate, and I cannot look on without protest while some of the most peaceful districts in Ireland are being thrown into a state of utter confusion by the needless operations of a secret Coercion Court."

Dr. O'Donnell, Bishop of Raphoe, then goes on to describe the work of that Court to be "a standing menace to peace and incitement to violence." He says—

"The little town of Dungloe is in the midst of a population whose character for intelligence, industry, and peacefulness is not surpassed by the good name of the inhabitants at any point on the Irish seaboard. Until a few weeks ago its townspeople lived in a state of enviable quietude, such as the strained relations between landlord and tenant would allow few neighbouring districts to assume. As a matter of fact, the locality has always been remarkable for the amicable settlement of agrarian disputes. . . . A Resident Magistrate thought well to establish his Star Chamber in its midst. The leading men of the town were summoned on short notice before him, with no option but to decline answering or appear before the public in the odious character of informers on their neighbours. . . . These townspeople of Dungloe, some of them in a most delicate state of health, were made to come from Derry Gaol long journeys on outside cars at late hours of the night, and in torrents of rain, rather than have the name of yielding to the behests of this mischievous Court. I implore the people to be true to their Christian duty, to Ireland and to themselves, by not allowing even such insensate provocation to drive them into violence. They have not begun the disturbance. Let the whole responsibility of disorder rest on those whose tyrannical administration has called it into being."

That case is only one of many others showing the course which these proceedings run in Ireland at the present moment. Some sort of action is taken in a Coercion Court; a crowd assembles to greet the prisoners; the police very needlessly attempt to disperse these, for the most part, innocent and harmless crowds; then a disturbance begins, bâtoning and bludgeoning begin, and disorder spreads. But all this has no effect in drawing the minds of the people towards your Government. They are not reconciled to it; they take every opportunity, on the contrary, great or small, of showing that their sympathies are for those whom you imprison, and that they have none for you or your law. Sir, I shall not be suspected, even by hon. Gentlemen opposite, of exulting in that. I do not. It is the object of all of us to bring the minds of the people of Ireland into something like harmony and sympathy with our law and government. But what do we find on every occasion? I never take up *The Freeman's Journal* or some other Irish paper without seeing an account of some demonstration by a crowd with bands and cars to escort somebody to prison, or to escort him on his way out of prison. Last Friday there was a priest brought up at Limerick for holding an unlawful meeting on the River Shannon. He went out in a boat, and five other boats joined him about 400 yards from the Clare side. The wind was blowing from the shore, and the tide was ebbing, but still the police heard enough words uttered to make a case for the Crimes Act Court, and I do not object to it; but when the priest went to the Court he was followed by a large contingent on cars and horseback, and one car carried a boat on the top of which was the inscription "Going to gaol for boating." When they got to Limerick again the prisoner was greeted by a large crowd; again there was disorder and a collision with the police; and, after all the importance attached to the action of the clergy in keeping the peace in Ireland, a conference of the priests of West Clare met last Friday and passed a resolution—

"That the prosecution of Father Gilligan only raises him in our estimation, and is another proof of his readiness to endure suffering in the cause of our oppressed people."

How long, I ask, is this to go on? Under such a system as this—a system which has alienated and is alienating the minds of the people from the law, and throwing all their sympathies on the side of the offenders against the law—under that system no civil virtue can ever grow or ever thrive. The gross, savage ill-usage of the people, of the humble people, whom it is desired to terrify, the needless arrests, the humiliation, the constant intrusion and dominion of the police everywhere—that is no atmosphere for the preparation for freedom. But the just spirit of England recollects itself and is awake.

I do not appeal to that spirit merely outside of this House; I appeal inside this House to the experience and the principles which have made England what England is, and I protest against blind and futile persistence in the principles and the practices which have made Ireland what Ireland is. This House may not, will not assent to my Motion, but I hope that hon. Members will lay seriously to heart the true character of what is now going on in Ireland. I do not want to make this speech an attack on the right hon. Gentleman the Chief Secretary personally in any way. He is not more responsible than the majority of this House. He is only doing logically—rather harshly—what you gave him an instrument to do. But on you a great responsibility rests. I am quite aware that you have no intention of shirking that responsibility, and I am quite aware that my hon. Friends here do not shirk this responsibility. But I say that the responsibility is a grave one; I say that the state of Ireland is becoming not better from day to day, but is becoming worse. I ask you at least, if you will not vote for my Motion, to weigh its propositions; and I think that before many months are passed, if you test those propositions by all that comes up from Ireland, you will see the necessity for doing away with a system which is deepening the confusion in Ireland, and which tarnishes the credit, the honour, and the renown of this Parliament and of the people of this country. The right hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Motion made, and Question proposed,

"That, in the opinion of this House, the operation of 'The Criminal Law and Procedure (Ireland) Act, 1887,' and the manner of its administration, undermine respect for Law, estrange the minds of the people of Ireland, and are deeply injurious to the interests of the United Kingdom."—(*Mr. John Morley.*)

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): Mr. Speaker—[*Interruption*]—I had hoped to begin by complimenting the right hon. Gentleman who has just addressed the House on the spirit of, at least, the end of his eloquent speech. But I cannot compliment him on the spirit in which his allies seem disposed to listen to a reply to that speech. Mr. Speaker, I cordially endorse one sentiment that has fallen from the right hon. Gentleman who has just sat down, when he said of the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) that he was not responsible for what is now proceeding in Ireland, but that that responsibility rests upon the Government as a whole, and on the majority which elected them. [*Cries of* "No!" *and Interruption.*]

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): You had no mandate from the Election.

MR. GOSCHEN: I am really surprised that when this side of the House has listened without one single interruption to the speech we have just heard, in the very first sentence—and one, I hope, not conceived in any aggressive spirit—an endeavour should be made to interfere with the reply. It is not on my own account, but I think I may venture to say on account even of the dignity of these debates and the greatness of the issues at stake, that hon. Members opposite must try to contain themselves. I must apologize if I have been somewhat warm in these remarks; but the task is a great one to reply in a debate of this kind, and I wish to do so at least with consecutive reasoning——

SIR WILLIAM HARCOURT (Derby): Go on.

MR. GOSCHEN: The right hon. Gentleman says "Go on." I intend to go on; but the right hon. Gentleman has never been interrupted in the opening of his speech, as I have been now. Well, Mr. Speaker, I was accepting, on behalf of the Government, the responsibility of what is proceeding in Ireland. The right hon. Gentleman appealed to the experience of the principles that have made England what it is, and he said—"Let us apply them to Ireland." We are applying to Ireland the principles that have made England what it is; but it is owing to the persistent effort made on the other side to introduce a new standard of morality, a new standard of law, and a new interpretation of the duties of citizens, that Ireland is what it is. The right hon. Gentleman said, at the beginning of his speech, that he was asked to discuss this question without having full information in his hands. I do not know that he was asked to discuss this question.

MR. JOHN MORLEY: I was obliged to do so.

MR. GOSCHEN: Well, as a matter of fact, the right hon. Gentleman said he was asked, and he says now that he was obliged. But the challenge he made to this House was placed on the Table, I presume, with full knowledge of the facts, and therefore the right hon. Gentleman cannot complain that it was necessary to supplement that which was already in his knowledge with fresh facts before he discussed the Motion on the Paper. We noticed that there was a little consternation at the moment when we accepted his challenge. We were struck with the fact that the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), instead of asking that the question should be immediately discussed, said that three or four days afterwards he would ask the Government for a day.

MR. W. E. GLADSTONE: Nothing of the sort. I asked that a day should be fixed at once.

MR. GOSCHEN: The right hon. Gentleman is really defective in his memory. He got up in his place, after the Motion had been read by the right hon. Gentleman, and said that he would on Monday next ask the Government to fix a day. That was three days.

MR. W. E. GLADSTONE: The next Parliamentary day.

MR. GOSCHEN: Then Friday is not a Parliamentary day for that purpose? Why did not the right hon. Gentleman ask for a discussion at once? We were perfectly prepared to meet this Motion—in the words of the right hon. Gentleman the Member for Newcastle-upon-Tyne—in every respect. The right hon. Gentleman said he was going to challenge the Government in every respect. Well, we are prepared to reply to him in every respect. I call the attention of the House to the words of this Motion. They are these—

> "In the opinion of this House, the operations of the Criminal Law and Procedure Act and the manner of its administration undermine respect for law, estrange the minds of the people of Ireland, and are deeply injurious to the interests of the United Kingdom."

One would have thought from this Motion that there existed in Ireland respect for the law which we had undermined, that this country was in possession of the affections of the Irish people, which we, by our procedure, were estranging. I notice that the right hon. Gentleman did not address himself to this part of the case, and, indeed, it would have been difficult for him to attempt it. Our Predecessors did not bequeath to us in Ireland a state in which there was respect for law, or any hope of affection on the part of the majority of the Irish people for this country; and, in fact, those who have got good memories will find that speeches, extraordinarily like the speech just delivered, have been delivered, only in somewhat more violent language, against the right hon. Gentleman the Member for Mid Lothian and his Friends by their present allies. Undermining respect for the law was one of the favourite expressions used by hon. Members now sitting below the Gangway at the time when the right Gentleman was supreme. I have wondered from what pen this Motion must really have proceeded. Was it from an Irish pen or an English pen? I thought that possibly it was rather an English pen, which had assumed that respect for law had existed previously, the existence for which has always been denied by hon. Members below the Gangway. But a more accurate examination of the case seems to reveal the fact that this Motion is only a translation of passages spoken in 1883 by hon. Members from Ireland. There is an extract from a speech of the hon. Member for North-East Cork (Mr. W. O'Brien) which sounds very like the Resolution of the right hon. Gentleman. Speaking in August, 1883, the hon. Member said—

> "The whole system of Crown prosecutions in Ireland was . . infamous. The Government, by using this system, were responsible for all the crimes committed last winter in Ireland. The system created more crime than it punished, besides disgusting and disheartening anyone who desired to have respect for the law."

That is a confirmation of the speech of the right hon. Gentleman. There are other extracts which show that what we are now going through is but a kind of reduplication of debates that took place under our Predecessors, and there is no single charge made at present which—with a difference in details—has not been made in previous Parliaments. The hon. and learned Member for the Harbour Division of Dublin (Mr. T. C. Harrington) said of the right hon. Gentleman opposite—

"The means by which the right hon. Gentleman had worked up the Administration in Ireland had done more to injure law and the administration of justice than any system which was ever introduced into any country in Europe."

In another speech the hon. and learned Member said—

"If they would study the working of the law in Ireland, instead of being surprised that the law was not respected, they would be surprised that the law was even so much obeyed as it was."

Well, it may be the case that the law is respected in Ireland, or that it is not; but let it be observed that if in their whole tone and spirit these speeches are but a parallel to those made now, there is this great difference — that when you examine the charges that are made by the right hon. Gentleman they are light indeed in comparison with the charges that used to be made against the Administration of the right hon. Gentleman the Member for Mid Lothian. At all events, I think it must be said that we now know the worst. We may accept it that the speech of the right hon. Gentleman the Member for Newcastle, though he said that he could continue it for many hours, at all events contained the choicest specimens of maladministration on which he could lay his finger. Let us remember the fierce light—to use the right hon. Gentleman's own words —now beating upon every magistrate, every police constable, every Police Inspector, every Judge in Ireland. Never has an Administration been subjected to such Argus-eyed watchfulness on the part of its opponents as the present Administration. Yet, fter all, with the ubiquitous power of the League in every quarter in Ireland, and with all the means at the disposal of hon. Members opposite for the discovery of everything that goes on, we now know, as I said, the worst—we know the substance of the case that is to be brought against us, and the House will be able to judge whether it justifies the sweeping condemnation that our Administration undermines respect for the law—that respect for the law which we are endeavouring to enforce. The right hon. Gentleman certainly adduced one or two pathetic cases, and one in particular; but I think that if we were to make the attempt it would be found that there are still in Ireland, though in reduced numbers, cases of oppression due to the action of the National League, which are as revolting and as heartrending as any scenes which have been placed before the country in connection with Ireland in times past, and I think it only right that one or two such cases should be brought before the notice of the House. One would have gathered from the speech of the right hon. Gentleman that the state of Ireland was perfectly peaceable, that all social and agrarian trouble was at an end, and that, but for the appearance of the police on the scene occasionally, we might hope to see a contented and peaceful Ireland. Well, Sir, is that the fact? Will the right hon. Gentleman himself contend that it is the fact? Is not the right hon. Gentleman one of those who, above all others, is aware that the agrarian and political questions are separate? He has been anxious that they should be regarded as separate; but when he makes it his argument that those engaged in this agrarian struggle are practically political prisoners he forgets his own contention and his own principle which lies at the bottom of many of his views and his speeches. Now, the main substance of the speech of the right hon. Gentleman was the case of Mr. Dillon, which he dwelt on at great length—and I speak of Mr. Dillon as he himself spoke of him, by his name. At the commencement of his remarks on that part of the case, he dwelt upon the importance of that hon. Member in this House—he dwelt upon the respect in which Mr. Dillon was held in Ireland, and pointed to the serious character of the imprisonment of a Gentleman who was so dear to the whole people of Ireland, and who was fêted on the road to prison. Does the right hon. Gentleman forget that there is another hon. Member of this House whose influence in Ireland even exceeds the influence of the hon. Member who has been imprisoned? Does he remember the case of the hon. Member for Cork (Mr. Parnell), who was imprisoned by the right hon. Member for Mid Lothian? Had that hon. Member not also a position in Ireland such as that which the right hon. Gentleman now claims for the hon. Member for East Mayo? But I cannot understand why the right hon. Gentleman introduced the subject of that influence if he did not, and could not, prove that the hon. Member was unjustly imprisoned. The right hon.

Gentleman said he was no lawyer, and would not deal with the merits of the case; but he proceeded, nevertheless, to dwell at considerable length on the merits of the case. He admitted, indeed, that thelanguage of Mr. Dillon was culpable, but suggested, as I understand, that the language was not illegal. He was not very clear on the point—that is to say, on the subject of the legality of the Plan of Campaign; but it came to this—that the Plan, in his judgment, at all events, had never wrought any injustice. Legal injustice it might have wrought, but not substantial injustice. But does he found upon that argument the doctrine that the Plan of Campaign is not illegal? The right hon. Gentleman is naturally silent—he must be silent, because the Plan of Campaign has been pronounced to be illegal by the very Judge whom he has been quoting with approval. Now, there is every respect shown for the judgment of Chief Baron Palles; but Chief Baron Palles himself has condemned the illegality of the Plan of Campaign. I do not think the right hon. Gentleman endeavoured very assiduously in this House to treat the offence of the hon. Member for East Mayo as a political offence; but that is one of the charges that is always made against the Government and the majority in the country. The charge is that we are imprisoning men like the hon. Member for East Mayo and other hon. Members, not for acts illegal in themselves, but because they are our political opponents. Does the right hon. Gentleman the Member for Derby (Sir William Harcourt), in face of his own experience of the time when he was Home Secretary, accuse us of throwing political opponents into prison? Does he, sitting next the right hon. Gentleman the Member for Mid Lothian, contend that the hon. Member for Cork was put into prison because he was a political opponent of his right hon. Friend? And if you do not hold that with regard to yourselves, by what right do you hold it with regard to men every whit as honourable as yourselves, and who are as anxious to do their duty by Great Britain and by Ireland? How can you say that in our case we are endeavouring to put our political opponents into gaol? I will leave it to the right hon. Gentleman (Sir William Harcourt) to prove, at a later stage of the debate, why he contends that in our case we imprison men because they are political opponents, while in his own case he would contend that such a charge ought never to be made. I will examine the point whether it was for a political offence and as a political opponent that the hon. Member for East Mayo was put into prison. The admission has been made that his language was culpable; and the Plan of Campaign which he advocated has been condemned by the Judges in whom hon. Members on the other side have most confidence. The right hon. Gentleman (Mr. John Morley) did not read out any portion of the speech of the hon. Member for East Mayo; but I think it right to bring out distinctly the point which he was urging—

> "I say that when I recommended the Plan of Campaign as a policy to the tenantry of Ireland, I did it deliberately, and I never concealed from the people of Ireland that I believed in it, because it is a policy that would make the fate of the traitor an unhappy fate."

[*Cries of* "Go on!"] Yes; I am going on. This is not an expression, therefore, which dropped casually from the hon. Member in the heat of his speech. The right hon. Gentleman said that we ought not to have any cant about those words, and he spoke about the Trade Unions of this country, and of the melancholy revelations that were made in connection with them. But I never remember—I wonder whether he does—any man holding the great position of a Party Leader such as the hon. Member for East Mayo in the face of his countrymen not only palliating, but defending and recommending, a policy which would make "the fate of the traitor an unhappy one." This is the plan which is condemned by the highest authorities of the Church to which the hon. Member belongs. [*Laughter.*] It cannot be denied. Hon. Members may jeer at it in this House; but if the right hon. Gentleman opposite quoted an Ecclesiastical Rescript from one Bishop in Ireland which he said we should not like, I think I am entitled—he having introduced the subject of Ecclesiastical Rescripts—to say that this was precisely the crime which was denounced by the highest authority of the Church of Ireland.

MR. W. O'BRIEN (Cork Co., N.E.): Would the right hon. Gentleman read on as he promised?

MR. GOSCHEN: Hon. Members will have the opportunity of reading the whole of the speech of the hon. Member; but I have more to read. After a recommendation of the Plan of Campaign and recounting its triumphs, he concluded—

"I have come here to say I counsel the people of Ireland, whenever they are unjustly treated by their landlords, to adopt this policy and to work it well."

And well they worked it where they dared! We know the methods by which it is worked, and we know the sanctions by which it is worked, and the incidents to which it leads after it has been worked. We know the effects of the policy that would make the "fate of the traitor an unhappy fate." And this is the language of an ally of the right hon. Gentleman, who says we are "undermining in Ireland respect for the law." In this respect for the law which is enforced in language such as I have quoted? Sir, it is this law which we would wish to undermine; it is just this law which we are endeavouring to do our best, in the face of an opposition such as never before has been directed against the Executive Government in Ireland, to supersede by the law of the Queen.

An hon. MEMBER: Read the context.

MR. GOSCHEN: Hon. Members wish for more of the hon. Member's speech. He said—

"I say that I like it—the Plan of Campaign—better now than I ever did before, and I say to the tenants of Lord Massereene that if they stand to their guns like honest and brave men I pledge myself that as long as I live, and the men who are working along with me, they will have at their backs the support of Irishmen and the Irish race all over the world."

They will have at their backs the support of the Irish race all over the world while they are working the policy that would make "the fate of the traitor an unhappy fate." [*A laugh.*] I observe that the right hon. Gentleman the Member for Derby, by a solitary cheer, endorses that policy of the treatment of traitors. But, then, hon. Members may possibly assume that it is on account of the poverty of these tenants that the hon. Member for East Mayo went down to that estate. Now, on the question whether it is only in defence of poverty that these methods are adopted, we have the evidence of Father M'Fadden, of Gweedore, who, on the 17th of April, 1888, said—

"Mind, I give no thanks to a man for not paying rent because he is not able to pay. That man deserves no thanks; he deserves no applause. It is not in the cause of poverty that we are fighting."

It is well known that——

MR. T. M. HEALY (Longford, N.): Where are you quoting from?

MR. GOSCHEN: That is taken from *The Derry Journal* of the 20th of April. I hope that is a satisfactory reference. It is rarely that we are able to satisfy hon. Members below the Gangway by these quotations; but this, I presume, is the authentic language—the unchallenged language—of one of those gentlemen who are encouraging the tenants in that Plan of Campaign for which the right hon. Gentleman the Member for Newcastle and his Friends have now no word of condemnation. That is the spirit in which they are fighting. It is not in the cause of poverty; it is not to rescue these tenants from the effects of bad seasons—

"We do not thank the man who cannot pay his rent, but we do thank the man who, being able to pay, will not pay his rent, in order to promote the objects of the National League."

I was trying to follow the right hon. Gentleman the Member for Nwcastle in his discussion as to the parallelism between this agrarian "combination"—that is the favourite word—and the Trade Union combination. Said my right hon. Friend—"These Trade Unions have given up their crime because their proceedings have been made legal; do the same as regards the combination of the tenants, and crime will cease in their case also." That was substantially my right hon. Friend's argument, I believe. I hope I am not misrepresenting him. I judge by his silence that that is his argument. I invite the House to follow me in this. He says that as we have legalized Trades Unions, so we ought to legalize combinations amongst tenants in the direction of the Plan of Campaign. But is there no difference between the two? In the case of Trade Unions the combination is that a certain number of persons say—"We will all together refrain from doing that which we have a perfect right to do, and a perfect right not to do." On the other

hand, the tenants in their combination under the Plan of Campaign say—"We will all together combine to refuse to pay our just debts which we are bound by law to pay, which we are able to pay, and which, by a law passed by the Administration of which the right hon. Gentleman the Member for Mid Lothian was the head, was considered to be a fair rent." And Her Majesty's Government are asked to pass a law by which tenants are to be allowed to combine in order to agree together to pay the rents, which are due to the landlord, to some other person until they—the landlords—accept any proportion of the rent which the tenants are willing to allow them. I think I may say that a more preposterous suggestion was never made by a responsible statesman, and that is not the whole of the position, because these tenants, while they are to be authorized by law not to pay that which they are now bound to pay, are, nevertheless, to remain on the landlord's property as long as they like. I confess I should like to see the draft of the Bill which would carry out the views of the right hon. Gentleman. What I wish to impress upon this House is this—and I think hon. Members opposite will agree with me to a certain extent—that this agrarian trouble is only indirectly connected with the political trouble. Supposing you were to grant Home Rule to-morrow, would the Plan of Campaign still be necessary or not? That is a point upon which the right hon. Member for Newcastle ought to be able to give an opinion, because it is he who says that this agrarian question ought to be settled before Home Rule is granted. I wish to put it to the House, would the Plan of Campaign be necessary if Home Rule were granted?

MR. W. O'BRIEN: Certainly not.

MR. GOSCHEN: Certainly not. The hon. Member has given an answer which I am prepared to accept. But if not, why not? Would the tenants suddenly get richer, or be better able to pay their rents?

MR. W. O'BRIEN: Yes; but as the right hon. Gentleman has asked me, it is because the tenants would then get the benefit of the legislation from which they were excluded by the Act of last year.

MR. GOSCHEN: Quite so. That is just what I expected. There would be fresh agrarian laws passed by an Irish Parliament, which would render all Plans of Campaigns unnecessary. That is precisely the contingency expected and foreseen by the right hon. Member for Newcastle. He knows his friends. He is acquainted with the tendencies of their prospective agrarian legislation. He knows it would be no longer necessary to send the police, or to despatch the most eloquent of their Members to endeavour to persuade the tenants not to pay debts which they are prepared to pay, and which they would pay but for such interference. It would not be necessary, because they would be relieved by law from all inconvenient payments. But then I say that one sees that, after all, it is not a political object for which they are contending, but it is through the political agitation that they wish to attain the agrarian result which they have in view. It is not the political offender, but the agrarian offender, who in this case is condemned by the law of the land for language which was an incitement for those not to pay, who, by the confession of Father M'Fadden himself, are able to pay. It was for that he was thrown into prison. Then the right hon. Gentleman speaks of the procedure, and shows that it was by the retrospective operation of the Act that Mr. Dillon was convicted. But the right hon. Gentleman did not contend—and it is most important that this should be thoroughly understood—that it was any retrospective creation of a new offence. That was not the contention. The attempt is sometimes made in the Press to suggest that our action amounted to making that an offence which was not an offence before. But that was not the case, and the precise procedure was discussed in the House, and it was decided that after a district had been proclaimed the procedure in that district should be under the Crimes Act and not under the ordinary law. I trust I have made the point plain to the right hon. Gentleman. "But," he said, "why not proceed under the ordinary law? Why not appeal to a jury?" Surely, said he, even I might know that a Louth jury would be a good jury, and a jury on which reliance could be placed. But I do not know whether the right hon.

Gentleman forgot that with regard to an admitted offence, for which Mr. Dillon was tried by a Dublin county jury, the jury disagreed, and the right hon. Gentleman himself brought home to us the probability of a jury being influenced, when he dwelt upon the extraordinary enthusiasm with which Mr. Dillon was received in every direction as a prisoner, so that he him self made out a case for the application of the procedure under the Act. Well, Mr. Speaker, so much for the case of Mr. Dillon. Now, the right hon. Gentleman has gone through many individual cases, some of which will be dealt with by the Solicitor General for Ireland and the Chief Secretary, when they address the House. Of course, the House and the country will see the great advantage that right hon. Gentlemen opposite and hon. Members from Ireland have in chosing their line of attack, as it is impossible to foresee all the particular cases on which they will dwell when we come to close quarters on this matter. My right hon. Friends will be able to deal *seriatim* with the various cases which have been brought before the House by the right hon. Gentleman. But there is one case with which I can deal with at once, and that is the Killeagh case, upon which the right hon. Gentleman dwelt at some length, where the judgment was reversed on the ground that there had been no conspiracy to induce to abstain from selling. The right hon. Gentleman will remember the case. He amused the House by extracts from the judgment. But I doubt whether he told the House that the very Judge to whom he referred stated, in the clearest manner, that there was an offence. [*Cries of* "No, no!"]

"There is a good deal of evidence," said Chief Baron Palles, "that other persons on other days, commencing, I think, on the 9th of March, acted similarly towards the police stationed in that particular part, and I see no reason to doubt that the magistrates had evidence from which they would have been compelled to arrive at the conclusion that each of these persons, at least the greater number of them, had bread with which they might have supplied the police if they would; and I think the evidence showed clearly that their refusal to give bread to the police was a refusal in pursuance of a common act."

MR. JOHN MORLEY: That is not an offence.

MR. GOSCHEN: We will see—

"I rather think there may be evidence from which a jury might have concluded that the sole object was to injure the police, and so there might have been a conspiracy punishable at Common Law."

I do not think it was a very candid interpretation of the right hon. Gentleman. "There is no offence," says the right hon. Gentleman; but here the only Judge to whom the right hon. Gentleman has appealed says—"I rather think there was evidence from which a jury might have concluded"——

MR. T. M. HEALY (Longford, N.): "Might?"

MR. GOSCHEN: Yes. "Might have concluded." Does the hon. and learned Gentleman think that the Judge would have made use of such a phrase as that lightly?

MR. R. T. REID (Dumfries, &c.): That is a very common expression.

MR. GOSCHEN: My hon. and learned Friend near me (the Solicitor General for Ireland) also says that it is a common expression to indicate that there is evidence. I do not wish to say absolutely that there was a crime; but when a Judge says that the magistrates had evidence from which a jury might have concluded that the sole object was to injure the police, I think we must accept his judgment. The right hon. Gentleman tried to put this case as if these poor people were being most maliciously and unfairly treated by the police. The fact is that there was a conspiracy with the sole object of refusing bread. [An hon. MEMBER: The Judge said he thought there was evidence.] Whether I am right or wrong, hon. Gentlemen will admit that this is an important point. Here is what Baron Dowse says—

"The evidence given of the refusal of various parties to supply bread to the police, in my opinion, constitutes evidence from which a jury would come to the conclusion that a conspiracy existed to starve the police, and not to supply them with bread."

I do not know whether the right hon. Member can deny that there was a conspiracy. That reminds me of a curious point that I should like to put to the House, and that is that in many of these cases no defence whatever is made at the time. The charge is made, and no defence is made; and why? Because it would not suit the purposes of the agitators in Ireland to prove that there was no conspiracy, even in order to prevent conviction. One of the chief engines

of the action of the League would be destroyed if in Ireland they admitted there was no conspiracy. What would then be the effect of the threats of the hon. Member for East Mayo to make the life of the traitor unhappy? No; they do not like to deny in Ireland the existence of conspiracy. But in this House, when we come to close quarters, and when we read out from these judgments, to which they themselves have appealed, that there was evidence from which a jury might conclude that there was a conspiracy at Common Law to deprive the police of bread, they say—not distinctly, but they imply—that there was not a conspiracy. I am not aware whether the hon. and learned Member for Longford (Mr. T. M. Healy) ever contended in Ireland that there was no conspiracy. He may have said—"You have got the wrong man;" or, "You have tried the right man in the wrong way;" or, "Your procedure is wrong." But he has not denied that conspiracy existed to deprive the police of bread. Then, I ask, is that an offence or not? Of course, it is no offence in the eyes of those who think that the police are simply a brutal force, hired by the Executive to put down the people of Ireland. I know they go to considerable lengths. But it is hardly possible that right hon. Gentlemen on the Front Opposition Bench will say that a conspiracy to deprive the police of bread is a creditable, a legal, and a justifiable mode of action. At last I have come to a point which is not cheered even by the right hon. Gentleman. The House will understand that in this case, of which the right hon. Gentleman makes so much, these men had not been proved, to the satisfaction of the Judges, to have conspired to induce other people not to sell to the police. That was the point. But, at the same time, the Judges commented upon the evidence that there was a conspiracy. There may have been—nay, there must have been, since these learned Judges have said so—a miscarriage of justice in this case. I will not imitate the conduct of right hon. and hon. Gentlemen opposite, who, whenever a judgment of a Court is given against them, immediately proceed to attack the integrity of that Court. There may have been a miscarriage—there was a miscarriage of justice in this case; but I appeal to the common sense of the House and of the people of this country, who will read the statement which has been made by the right hon. Gentleman—[*Home Rule cheers*]—aye, and who will read the replies which will be made by my right hon. Friend the Chief Secretary and by the hon. and learned Solicitor General for Ireland to the specific allegations which have been made, whether, given the difficulties of the situation, were has made out such an overwhelming case as to discredit the whole of the magistracy in Ireland? Are there no cases in which magistrates have made mistakes in this country? Are there no cases in which magistrates err, and where their judgments are put right by a higher Court? I think it is eminently unjust if, from one or two cases carefully selected to prejudice this House, we should allow a stigma to be placed upon the whole magistracy of Ireland. Well, I will now turn to another part of the right hon. Gentleman's speech, although he did not dwell much upon it himself, but touched it only with the lightest hand. The right hon. Gentleman said there was no progress towards order, as I understood it, under this Act. He would not admit that we had made any progress. I think that he said, towards the end of his speech, that we should not suspect him of wishing to make the government of Ireland impossible, but that we should believe he would sympathize with any progress in Ireland. Well, I think I can satisfy him that we have made some progress in the direction of reducing the number of those crimes which make a man's life unhappy. Here are the statistics of persons Boycotted. On the 1st of July, 1887, the number of persons comprised in wholly Boycotted cases was 870. On the 31st of January, 1888, there were 208; and on the 31st of May there were only 112. At all events, we have done some good in protecting persons from Boycotting. The number of persons partially Boycotted on the 31st of July, 1887, was 3,965; and on the 31st of May, 1888, it was only 1,278. Well, then as regards agrarian outrages. To begin with offences against the person, there were four murders in the first five months of 1887, and there were three murders in the first five months of 1888. I will say something, if the House will allow me, in respect to

those murders in a minute or two. Of other offences against the person there were, in the first five months of 1887, 38; and in the first five months of 1888, 20. Of agrarian outrages against property, there were 76 during the first five months of 1887, but they fell to 39 in the first five months of this year. Of offences against the public peace, there were 125 in the first five months of last year, and 86 in the first five months of this year. I trust the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) will see in these facts some satisfactory progress towards eradicating the mischief which has so long existed in Ireland. But it is not only a question of the amount of Boycotting, or of the amount of agrarian outrages; the question is whether the punishment of crime is more successful now than it has been. In two cases of murder, in the cases of Quirke and Fitzmaurice, convictions have been obtained by the process of the Crimes Act which would not have been obtained without the Crimes Act. [*Cries of* "Oh, oh!"]. Well, hon. Members say "Oh, oh!" but I think I shall be able to prove my point. In both these cases there was a change of venue, and in one of them the evidence could not have been got at all but for the power of preliminary inquiry. Are hon. Members aware that in the case of Quirke, his old wife, in the presence of whom he was murdered, in this land in which we are undermining respect for law—that this old woman, at first in fear of her life, refused to give evidence against the murderer of her husband? He was brought to justice in the end; but how was it done? It was done under one of the clauses of the Crimes Act, this clause which renders possible a preliminary inquiry, and the woman herself gave evidence; but if she had had to give evidence in public in the ordinary way, she would have been afraid of her life. Here are her own pathetic words—

"I was in dread of my life, and I am in dread of my life still, and I am in dread during my days; and it was this dread which prevented me telling all to the police the first day. Only for my dread, I would have told all."

This woman is Boycotted, I believe, at the present moment; is Boycotted, because the murderer of her husband has been convicted. Fancy the position of this woman, with no one to help her, no neighbour daring to come near her, with no one to protect her but the police. The old woman further said—

"God help us, to be alone there all by myself and the Almighty God; only the police to be coming there, making company for me; to be alone there without anyone by me. And I was in dread by day and night there; that is what I was. I was in dread to speak a word out of my mouth. I was in dread I'd be shot. I'd be in dread I'd be shot out in the field to-day if I had not one of the police after me. I would be in dread to go for a gallon of water if I would not have one of them after me. I believe there would be no fear of me though if I held my tongue, and signs on it I did not say anything to anyone; I keep my mind to myself."

She held her tongue in fear. What is this organization, and who inspires it? Can hon. Members below the Gangway opposite not discover the instigators of these proceedings? Can they, with all their powers and all their ubiquitous influence, not attempt to prevent outrages such as this? A man murdered in the presence of his wife, and the wife fearing to say one word; and because she has said that one word, she has to be protected, not by her neighbours, but to be protected even when she goes out to fetch a gallon of water by the police; and then it is said that we, by interfering to put down crimes like this, are undermining respect for law and estranging the affections of the people of Ireland. In this case the murderer has been brought to justice. There is another case in which the murderers have been brought to justice, and that is the case of Fitzmaurice. The right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) gave us a number of pathetic cases of persons who were injured by the police. He kept out of sight, but he could not have kept out of his recollection, some of those crimes which still stain the agrarian history of Ireland. He must have known, and the country knows, that these crimes are still in progress, and that while these crimes are still in progress, we cannot abandon the task which has been placed upon us of eradicating this mischief. [*Laughter.*] I am surprised that hon. Members below the Gangway opposite indulge in laughter. I think the country would judge them severely if they thought that they could indulge even in a moment's merriment when facts like these are brought out. I will recall the case of Fitzmaurice to the House, and we can-

not forget this case. This case shows that Ireland is still in such a state that the Crimes Act must be maintained. What is the case of Fitzmaurice? Fitzmaurice was murdered in the presence of his daughter. He had been summoned to the presence of a meeting of the local branch of the National League by the local secretary. He had been pointed out to the hatred of his neighbours, and the result was that Fitzmaurice was killed in the presence of his daughter. His daughter was able to recognize the men; but mark this fact, the priest cautioned her, warned her as to recognizing the men, saying there had been blood enough shed already. Why did he say that? Did he know that there was any unholy organization still in that neighbourhood which would bring this poor girl to account if she recognized the murderers of her father, and if she did her duty as a daughter? Did he think that there were men who, following the behests of some terrible organization, would hound her down? The girl was too brave; the girl did denounce her father's murderers. The venue was changed under one of the clauses of the Crimes Act, and the murderers were executed for the crime which they committed. No assistance was given to the girl, no help was given her in her trouble, but she was cruelly Boycotted. Let the right hon. Gentleman the Member for Newcastle-upon-Tyne mark this—that the local secretary of the League has been committed to prison for organizing the Boycotting of Norah Fitzmaurice. The right hon. Gentleman may bring forward cases where there has been a miscarriage of justice, cases where harshness has been committed, and where magistrates have made mistakes; but what are the cases he has been able to put forward compared with such terrible instances which show the need there is for us to proceed in endeavouring to maintain order in Ireland? I have already detained the House at great length; but I wish to add that the Plan of Campaign itself has been broken down on the Massereene estate. Let me sum up the evidence of the progress we have made. We have decreased the number of offences against the person; we have decreased the number of Boycotting cases; we have been able to bring murderers to justice; and we are now seeing signs of the breaking down of the Plan of Campaign on some estates where the most stubborn efforts have been made in order to sustain it. The tenants are beginning to find out that it is not to their interest to follow up the Plan of Campaign, and that the arm of the law is strong enough to protect them if they defy the orders of the National League. We see some progress towards better times, and do not believe that all this indignation is felt against us by hon. and right hon. Gentlemen opposite because we are breaking down, but rather because there is already some success attending the efforts of Her Majesty's Government. We are too successful now. It was precisely the same in 1883; when the Crimes Act of the right hon. Gentleman (Mr. W. E. Gladstone) was beginning to be successful, it was then that it was denounced in the loudest and most vehement terms by hon. Members from Ireland. We know our progress can be but slow. The right hon. Gentleman the Member for Newcastle-upon-Tyne asks, have you succeeded in winning the affections of the people of Ireland; have you succeeded in making progress in that direction? Well, does not he and do not his friends do all in their power to make this task for us almost impossible? Are they not endeavouring to persuade the country that we are not only pursuing a course which to them is odious, but that we are doing so with odious motives, with the desire to crush the people of Ireland? They do that, and then they say we are not making progress. Although we think we see progress in many directions, we shall certainly find it difficult to win the affections of the people of Ireland in one way which seems to be open to a great many right hon. Gentlemen opposite. We cannot follow them in sacrificing all our previous principles. I recognize the gratitude of hon. Members below the Gangway opposite for the surrender of principles which right hon. Gentlemen have offered as a sacrifice to the people of Ireland. We will sacrifice much, but we will not sacrifice the interests of the British Empire; we will not sacrifice the unity of the Empire; we will not sacrifice those principles which lie at the base of all civilization, and which are attacked by the methods which are employed in this campaign;

we cannot in that way compete with right hon. Gentlemen on the Bench opposite. We do not think, and here I go entirely with the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley)—we do not think we have completed our task in endeavouring to maintain order. We know we have other duties to perform to the people of Ireland, and we are anxious to perform them. But as the time when we may hope to discharge them draws nearer, we see more and more fierceness in the Opposition, as if hon. Members were determined we should not attain our object. As we get nearer to the point where we might realize our hopes of benefiting the people of Ireland we meet with greater and greater opposition—opposition simply intended to thwart us in the task which we conceive it to be our duty to perform. There are measures which the right hon. Gentleman opposite (Mr. John Morley) scoffed at for the improvement of the material resources of Ireland. Why did he scoff at those measures? Those measures are demanded by his hon. Friends below the Gangway night after night with great earnestness, measures which we will do our best to bring forward. We know that as the richer country, it is our duty to do all we can to assist and develop the material resources of Ireland. I agree with my right hon. Friend the Member for Newcastle-upon-Tyne in this, that we cannot hope to buy the affections of the people of Ireland. We do not think that by the expenditure, the most profuse expenditure of public money, we shall be able to destroy any sentiment which is deeply implanted in any people. I do not hold that any more than any right hon. Gentleman opposite. But that does not relieve us from the obligation to do our best to promote the material prosperity of Ireland, not because we are thereby sure to win, as we hope, her affections, but because we think it is clearly a duty imposed upon us. We do not despair, and we wish to hasten the time when we may realize the object which everyone knows we have at heart — namely, to multiply the number of owners of land in Ireland. That is a measure for which we are as anxious, perhaps, even more anxious than right hon. Gentlemen opposite; because we wish to put an end to this agrarian struggle, and we know that if we can once settle the agrarian struggle, we shall be better able than now to deal with the political issues from which right hon. Gentlemen opposite at present seem to shrink. We have done something during these last few years. I have spoken of other matters, but we have done something towards putting Home Rule into the background. [*Cries of* "No, no!"] Yes; if hon. Gentlemen below the Gangway watch the speeches which are made by their right hon. allies, they will find that the question of Home Rule for Ireland is now being subordinated to other questions and left in the background as far as possible. Well, we are anxious to go forward in the direction I have indicated. We are anxious to go forward in the direction of multiplying the owners of land in Ireland, and we are anxious, in Ireland as well as in England, to decentralize as soon as it is possible. We have our hopes as regards Ireland; they are not shattered by the opposition that is offered to us in this House; they are not shattered by the opposition which is offered to us in that country. We shall go forward steadily in our course, not undermining respect for law, but endeavouring to maintain it; not estranging the affections of the people of Ireland, which, alas, have not yet been possessed by the people of this country, but striving with justice and with steadiness to treat the Irish people as subjects of the Queen, and to treat Ireland as an integral portion of the United Kingdom.

MR. R. T. REID (Dumfries, &c.) said, both inside and outside the House the greatest efforts had been made on the part of the Liberal Party to defeat the action of the Government, who obtained a majority on something very like false pretences, and which had been consistently used for mutilating the liberties of the people of Ireland. The right hon. Gentleman the Chancellor of the Exchequer was mistaken in supposing that no more would be heard of Home Rule. The Liberal Party were at the present moment engaged in trying to put an end to the iniquitous system which prevailed in Ireland, but the time would come, and that soon, when they would be able to carry a measure of justice for Ireland. With regard to the right hon. Gentleman the Chancellor of the Exchequer's treatment of Mr. Dillon's case, it came badly

from the right hon. Gentleman to attempt to justify the unjust treatment of Mr. Dillon by a *tu quoque* argument accusing Mr. Gladstone of injustice to Mr. Parnell.

MR. GOSCHEN said, that his contention was, that while Mr. Dillon had been justly treated by the present Government, Mr. Parnell was justly treated by Mr. Gladstone's Government.

MR. R. T. REID said, he was unable in that case to see the relevancy of the argument. Then it was hardly worthy of the right hon. Gentleman to suggest that Mr. Dillon's language was an incentive to violence and murder.

MR. GOSCHEN said, he did not suggest for one moment that Mr. Dillon contemplated murder or anything of that kind. But he did suggest that the language fell upon the ears of persons to whom it might appear as an incentive to murder and outrage.

MR. R. T. REID said, that the right hon. Gentleman ought to have read other parts of Mr. Dillon's speech, where Mr. Dillon strongly deprecated outrage and endeavoured to keep the people from the commission of crime. With reference to the Killeagh case, the right hon. Gentleman the Chancellor of the Exchequer did not seem to appreciate its importance. Certain persons against whom there might or might not be evidence upon which a jury could act were brought before a tribunal not a jury, and it was contended that there was not authority in that tribunal under the Crimes Act with a case of conspiracy, if conspiracy there was. Nevertheless the persons were convicted, and now it had been decided that there was no evidence in any way to support the conviction. Such a case must shake their confidence in the magistracy. If they perused the records of convictions it would be seen that it was only in cases where there was no chance of conviction in ordinary circumstances, or where savage sentences were required that perambulatory magistrates were resorted to. Suitable men had been selected and sent round the country to try this or that particular offender. Having studied a multitude of these cases—some 600 or 700—he had come to the conclusion that the Crimes Act had been worked in a spirit of persecution, and not of prosecution, and that some of the cases were wanton and petty. The Mayor of Cork, for pushing a policeman, an offence which in this country would be punished by a fine of a penny, was sent to prison for a fortnight. After the language used by the right hon. Gentleman the Chancellor of the Exchequer about murder, what was to be said about those men who had been sent to prison for selling newspapers? These cases began on the 25th of October and, except in one instance, ceased on the 9th of January, during which time 11 persons were prosecuted for the offence. Corcoran, a foreman printer, was sentenced to two separate terms of imprisonment, with hard labour, for one month, though the son of the proprietor, Mr. Crosbie, swore that Corcoran was not responsible, and had nothing whatever to do with the conduct of the paper. The last person sentenced was a man named Ferriter, a secretary of a branch of the National League, who, on the 2nd of March, was condemned to three months' imprisonment, with hard labour, for selling a copy of *United Ireland* containing accounts of meetings of suppressed branches of the National League. But *United Ireland* published then and was publishing now reports of those meetings. Another class of cases was where the police were concerned. With one exception, no policeman had been seriously injured in any riot in Ireland, and in the first instance the Constabulary were driven by their superiors into collision with the people. During the last four or five months, however, baton charges by the police were of weekly and almost of daily occurrence. One of those charges had been described to him by a friend, not a Member of the House, who said that he had never seen anything more brutal in the whole course of his life. The police batoned men, sometimes women, and in one case a poor blind boy. Of course, the crowd would retaliate, and then they were brought up in batches before ex-policemen, who had been appointed Resident Magistrates, to be sentenced. A savage spirit seemed to have arisen among the police, for which the policy of the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) was responsible. Then cunningly-prepared traps were laid by policemen for shopkeepers. Persons were sent round asking for goods, though these persons sometimes had not any money to pay for them.

After the Killeagh case he would say that every man convicted on such a charge had been improperly and wrongfully convicted. The police behaved as they did because they were encouraged by their absolute immunity from the consequences of their action, as was evidenced by the quashing of the verdicts of wilful murder found by Coroners' juries against them in certain cases. At Youghal a lad was stabbed to death. A jury returned a verdict of wilful murder against the police, and the verdict was set aside by the Attorney General entering a *nolle prosequi*. In Mitchelstown three persons lost their lives. A verdict of wilful murder was returned against six or seven policemen, and this Government, who were the supporters of law and order, instructed counsel to appear before the Queen's Bench and take every futile and frivolous objection that could be conceived to get the verdict of the Coroners' jury quashed. A private inquiry was held among the police themselves, and all responsibility was thus got rid of, and thus these four men lay in their graves and no attempt had been made by the Government of this Constitutional country to bring any one to book or even to satisfy the requirements of decency by having a public inquiry for the purpose of satisfying the minds of the people. In these circumstances it would be astonishing if the police cared two straws for what the Irish people thought of them. That evening the right hon. Gentleman the Chief Secretary for Ireland, in reply to a Question put to him on the subject, denied, on the authority of the police themselves, that the Constabulary had been guilty of violence to the people on the occasion of Mr. Dillon being sentenced to imprisonment. The statement made by the right hon. Gentleman, however, was contradicted by the hon. Member for Scarborough (Mr. Rowntree), who had been a witness of what had taken place. Was the *ipse dixit* of any single Irish constable to be accepted in preference to the deliberate statement made in that House by an English Member of Parliament? The position of the Irish police would be hopeless unless they knew that there were congenial spirits among the Judges by whom they would be tried. He had examined the details of some 700 cases, and he must say that the extraordinary nature of the conclusions arrived at and the brutality of some of the sentences imposed by the Resident Magistrates upon those who had been convicted upon the most flimsy and the most unreliable evidence was absolutely degrading to the judicial office in the eyes of the people. What would be said by the Judges of this country if it were to come out before them that an attempt was being made to keep back evidence on the part of the Crown or to pack juries? Such flagrant acts as those he had referred to ought to be at once brought to the knowledge of the constituencies of the country. The Resident Magistrates were in constant communication with the Government in connection with the discharge of their executive functions. These Resident Magistrates thought that it was fitting that they should step from the judgment-seat to take part in a street brawl. Thus one magistrate, having given judgment in a particular case, had taken up his stick and had headed a baton charge by the police upon a number of defenceless and innocent people. Was not such conduct as that enough to make people believe that all law in Ireland was a farce? Again, it could not be denied that the Resident Magistrates had continually imposed sentences of one month's imprisonment in order to prevent the person charged from having an opportunity of appealing from the decision. The Court of Appeal appeared to partake very much of the character of the original Court. For his own part, he did not care what had been the custom or the practice in Ireland with regard to increasing sentences upon appeal; he was satisfied to know that such a thing had never been done in England or in Scotland. The object of increasing sentences upon appeal was to place a penalty upon those who exercised their right of appeal. The right hon. Gentleman the Chancellor of the Exchequer had said that the Crimes Act had been worked against crime. He believed only one murder had been detected by virtue of the first section. Of the rest of the charges brought to their notice, some were political, some arose out of collision with the police, and some, he was afraid, arose out of petty or personal malice. But the great bulk were connected with some agrarian cause. The Act was being worked in the in-

terests of the landlords of Ireland. Which was the better man—Lord Clanricarde, with his £20,000 a-year, or Mr. Dillon, who was imprisoned? Lord Clanricarde had never once been near his property for 14 years, and had not spent 1*s.* upon it, while nothing could be more condemnatory of the deadly policy of the Government than the fact that it had necessitated putting a man like Mr. Dillon—a man of the purest life and of the highest character—a man whose friendship he wished he could claim, and whom he admired and honoured as much as any man he knew—into prison instead of taking part in the peaceful government of his own country. There were now in prison 17 Irish Members of Parliament, all of whose constituents sympathized with them and were ready to return them again as their Representatives. Hundreds of men, of women, and of even children had been put into prison under this Act, while emigration was largely increasing. People were leaving in very much larger numbers from Ireland to be our enemies in America. The National League was more flourishing than ever. It would last to the end of the present Government. The victims of this Government had been received with acclamation in England and Scotland, with English and Scottish Members of Parliament on the platform beside them. It had been the boast of the Tory Government that the National League had been crushed, but the right hon. Gentleman the Chancellor of the Exchequer had that night, by a slip of the tongue, perhaps, admitted that the League possessed a tremendous and ubiquitous power. This was a proof that the force of a Government could not prevail against the will of the people. The right hon. Gentleman the Chancellor of the Exchequer did not claim that the landlords were any better than the tenants. Instead of that, the right hon. Gentleman referred to a Papal Rescript. That was the end of the great Tory Government; instead of being able to enforce the law in Ireland by means of their Coercion Act, they crawled to Rome, with a view to getting the support which they were apparently not likely to obtain from any of their countrymen. Such a policy had only been made possible by a wilful betrayal of the constituencies. The Gentlemen who called themselves Liberal Unionists were returned at the last Election on the basis that they would not support coercion. Some pledged themselves in terms, some impliedly, and all of them took the benefit of a public declaration. He did not refer to the right hon. Gentleman the Chancellor of the Exchequer, because nobody knew what he was—whether a Liberal Unionist or a Tory. But the noble Lord the Member for the Rossendale Division of Lancashire (the Marquess of Hartington) was bound to give some explanation. Step by step his Party was becoming the rump of the Tory Party. They had to do exactly as they were told by the Government, because if they did not the Government would send them to the country without the Tory support, and then they would be not merely beaten, but annihilated. He did not think there was a constituency in the country in which a Liberal Unionist would be returned without Tory support. It was the presence of that Party in the House that prevented the Opposition from having any prospects of success in the Division on this Motion; and although he was afraid that victory on this occasion was hopeless, he was sure the time could not be far distant when the people of England would return to their old love of freedom, and would for ever put an end to a system of government cruel and ruinous to Ireland and dangerous and disgraceful to themselves.

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): There has been no lack of strong language on the part of the Opposition, and it will be for the House to say whether there is a corresponding strength of argument and of fact. The hon. and learned Member who has just addressed the House (Mr. R. T. Reid) characterized the proceedings under the Crimes Act as a revolting travesty of the judicial function, and the right hon. Gentleman who commenced the debate (Mr. John Morley) accused the Government of chicane in the carrying out of that Act, and further characterized their proceedings as scandalous. I do not intend, Sir, to enter into competition with the right hon. and hon. and learned Gentlemen in the strength of the language I shall employ. I shall content myself with dealing with facts. I shall take up the statements which

have been submitted to this House as a foundation for these charges; I shall go through them in detail, and I shall ask the House to come to the conclusion that, in this case, strength of language has really been used in substitution for strength of case, or, in other words, to cover the weakness of the assailants. The particular case which has been most strongly brought before the House and which has been put forward as an illustration of what took place in other cases, particularly with regard to Boycotting prosecutions, was that known as the Killeagh case. I will tell the House exactly what took place in that case, and ask hon. Members to consider how far the circumstances of that case warrant the conclusions which have been drawn from it. Five men were summoned on a charge of conspiracy to compel and induce the traders of Killeagh not to deal with the police. A combined refusal to supply bread to the police was clearly proved. Each of the five was proved to have on several occasions refused the bread. It was also proved that intimidation existed. The evidence was that David Barry, who had first agreed to supply bread, afterwards went back of it, stating that he got such a fright that he would not be the better of it for a week, and that he would not be a black sheep among the rest, and that his own brothers would denounce him at the meeting on Sunday. Those are among the facts of the Killeagh case, and two of the Judges in the Court of Exchequer who decided the case stated most clearly that there was evidence proved in that case on which a jury might find the prisoners guilty of the indictable offence of conspiracy punishable at Common Law. It was said that the Judges did not go further and say that such a verdict would have been right. But we all know, even those of us who are not lawyers, that when a Judge says there is evidence in a case on which a jury might find a particular verdict, he means there was evidence which would warrant that holding. That is the whole of that case, and surely it does not justify the comments which have been made on it. It is a case, not of innocent men, but of men shown to have been guilty of a conspiracy at Common Law for the purpose of starving the police. If there is evidence in any case that a conspiracy is entered into for the purpose of injuring an individual, or a class of individuals, the offence becomes indictable, and that evidence existed in this Killeagh case. But, although these men were guilty of conspiracy to starve the police, it was held that the section of the Act under which they were tried did not apply to their case. Sir, how can it be said that this case throws any light at all upon the prosecutions throughout Ireland for the offence of Boycotting? I may point out that in the whole of that case, from beginning to end, the word "Boycotting" does not occur. Will it be denied that the proof of a Boycotting conspiracy involves the proof of a conspiracy containing the element of "combined intimidation"? The right hon. Gentleman opposite (Mr. John Morley) can hardly, I think, deny that. Certainly the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) cannot deny it, for, speaking on May 24, 1882, he said—

> "What is meant by Boycotting? In the first place, it is combined intimidation. In the second place, it is combined intimidation made use of for the purpose of destroying the private liberty of choice by fear of ruin and starvation."—(3 *Hansard*, [269] 1551.)

The simple fact about the Killeagh case is this—that as regards proof it fell short of a Boycotting conspiracy as defined by the right hon. Gentleman, and ranged itself within another class of criminal conspiracy indictable at Common Law—namely, a conspiracy to starve. If the magistrates made a mistake upon that point, is it, then, to be paraded before the House as throwing a lurid light upon the whole administration of the Crimes Act by the Resident Magistrates? Is it to be taken as a test case with regard to Boycotting conspiracies, seeing that the word Boycotting was never used by one of the witnesses for the Crown? It has been said, and the question has been asked, Why did the magistrates not state a case? ["Hear, hear!"] I am ready to confess that they should have stated a case. Hon. Members opposite are paying the very highest compliment to Resident Magistrates in Ireland, if they imagine that they ought absolutely to be infallible in everything. If the magistrates went wrong in this particular case, surely it was nothing so very remarkable, considering that the decisions of the

superior Courts in England and in Ireland are frequently reversed. Well, Sir, the Statute contemplates fully that the magistrates may occasionally go wrong in this matter of stating a case, and provides for the event in a manner which the right hon. Gentleman the Member for Newcastle-upon-Tyne seems to me to have overlooked. The right hon. Gentleman seemed to consider that the accused were in the power of the Resident Magistrates; but, Sir, I would repeat that the Act foresees that Resident Magistrates may go wrong, and if they refuse to state a case, it empowers the party aggrieved to go to the Court of Queen's Bench, and that Court, if it think proper, can direct the magistrates to state a case. It has been suggested a day or two ago by the hon. and learned Gentleman (Mr. T. M. Healy), during some of the short debates which have taken place after the answer to a Question, that it was useless to go to the Court of Queen's Bench, because they would not direct magistrates to state a case. If that means that the Queen's Bench would not administer the law fairly between the Crown and the subject, I must decline to enter into any argument upon that matter at all; but I understand the suggestion was based on the case of Brosnan. The version which has been given of that case might lead to misapprehension. That was a case in which the Resident Magistrates refused to state a case, in which the prisoner went to the Court of Queen's Bench, and they refused to order a case to be stated. The facts were peculiar. The Resident Magistrates came to the conclusion, rightly or wrongly, that the point on which they were asked to state a case had been already decided. The Court of Queen's Bench also, rightly or wrongly—and they have not been shown to be wrong—came to the conclusion that the point had already been decided, and on that ground they refused to order a case to be stated. An appeal was taken, but the Court of Appeal came to the conclusion that, the order being one made in a criminal matter, was not the subject of appeal, and, therefore, the question was never decided whether the Court of Queen's Bench was right or wrong. Because in that instance they refused to state a case, is it to be argued for a moment that the Queen's Bench, where a substantial question is shown to exist, would decline to order a case to be stated? I refuse to enter into an argument upon that point. The right hon. Member for Newcastle-upon-Tyne referred to what he considered to be the absence of protection in cases which come before Resident Magistrates, and which involve nice points of law. Does the right hon. Gentleman quite realize the protection which exists in these cases? The right to have a case stated on a question of law—unless the application be frivolous—with an appeal to the Court of Queen's Bench whenever the magistrates refuse to state a case, exists in every case, whatever may be the length of sentence. Therefore, if a point of law exists in any case, it can be brought before any of the divisions of the High Court of Justice which the accused may select.

MR. FLYNN (Cork, N.): Who is to bear the expense? That is a very important point.

MR. MADDEN: I am endeavouring to impress on the House, in opposition to the argument of the right hon. Member for Newcastle-upon-Tyne, that in every case where a point of law is involved, there is a right to have a case stated, with a right to go to the Court of Queen's Bench if the magistrate refuses to state a case. But that is not all. Two Judges of the Exchequer have decided differently, I am bound to say, from eight Judges on this point. The learned Judges of the Court of Queen's Bench and one Judge of the Court of Exchequer have stated, it is true, that on a writ of *certiorari* and *habeas corpus* the depositions cannot be looked into, but a majority of the Court of Exchequer are of opinion that they can. Now, I want to apply this as a test. That decision was laid down by a majority of one of the Courts in Ireland in February of the present year. As long as that decision stands, it is in the power of anyone, so long as he is under the sentence of the Resident Magistrates, to go to the Court of Exchequer, and have the case decided by that Court on a point of law. [MR. T. M. HEALY (Longford, N.): The sentence had expired in one case.] I wish, then, to know how many cases since February of the present year have been brought in the Court of Exchequer under that jurisdiction? That is a test which I ask the House to apply. If there really

existed in Ireland those cases in which it was desired to have a case stated, why were they not brought before the Court of Exchequer under the decision which I have mentioned? I ask the House to look at this one broad fact, which I hope hon. Members will remember in connection with the decision of Resident Magistrates, which are now impugned, that, except in one single instance, not a case has been brought forward since February last under that decision. There is another fact to be noted. In addition to this careful provision for the class of cases which the right hon. Gentleman had especially in his mind—cases of legal nicety—an appeal lies to the County Court Judge. Now, there are no Judges in the kingdom who hold positions so independent of the Crown as County Court Judges. They are not influenced by either hope or fear with regard to promotion; they are only influenced by a desire to do their duty between the Crown and the subject. What has been the record here? The broad fact is, that out of all the cases which have been appealed to them, the proportion in which the decisions have been reversed are very few—only some four or five. Looking at them impartially, these are tests which I think the House will do well to apply when they are asked to say that substantial justice has not been done. What becomes of the contention that innocent persons have been convicted when we have had an appeal on points of law, and when the County Court Judges have power to hear new evidence on questions of fact, and yet in the vast majority of cases the decisions of the Resident Magistrates have been confirmed? Then as to the prosecutions for the Plan of Campaign. It has been suggested that the Killeagh case had some relevance to the prosecutions connected with the Plan of Campaign; but there is no analogy between them. What was the ground of the decision in the Court of Exchequer in the Killeagh case? The absence of proof of coercion on the part of the prisoners. What is the essence of the Plan of Campaign? It is combined coercion. ["No, no!"] What is the Plan of Campaign? [An Irish MEMBER: Voluntary association.] The Plan of Campaign is a coercion of the minority by the majority. To do what? You have the rents, even what are admitted to be the fair rents payable to the landlords, taken absolutely out of their hands. Is there no evidence of coercion there? If the tenants chose to pay their rents to-morrow, they cannot get them back, because they are placed in the hands of trustees and taken out of their control. Then as to the backsliders. Is there no coercion as to them? The foundation of the conspiracy known as the Plan of Campaign is mutual and combined coercion. I do not ask the House to accept my statement on the subject. The question of the legality or illegality of the Plan of Campaign has often come before the Courts. It has been pronounced to be illegal by the Court of Queen's Bench and the Court of Appeal, and in the judgment laid on the Table of the House in the case of "Blunt *v.* Byrne."

MR. T. M. HEALY: Has that judgment been reported?

MR. MADDEN: Yes. The decision of Lord Chief Baron Palles has been published, and in it he says—

> "In answer to the application which has been made to me on the part of the defendant, it is my duty to tell you that, in my opinion, a combination for the purpose of carrying out what is called the 'Plan of Campaign,' as explained by the speeches to which I shall hereafter call your attention, is essentially an illegal association; that any meeting for the purpose of promoting it is in law an illegal assembly; that the Crown, or any magistrate, has the power to disperse any meeting called for that purpose; and that when a magistrate has notice of such a meeting it is his duty to do all that in him lies to prevent, or, if necessary, to disperse it. I have heard with surprise the assertion that to the present time there has been no legal decision as to the legality of the Plan of Campaign. Let not that be said for the future. If you find a verdict in this case, every word that I say (which is being taken down by the shorthand writer) will be before the Court of Exchequer, and can be brought before the Court of Appeal, and from it to the House of Lords, and by my present direction to you I leave open for the determination of the highest Court in the Realm, whether I am, or am not, right in my view of the law."

The Plan of Campaign has also been the subject of decisions in the Court of Queen's Bench and in the Court of Appeal, and has been condemned as an illegal conspiracy. The ground of these decisions is the existence in the Plan of Campaign of the element of mutual coercion, which was held not to exist in the Killeagh case. But we have been charged with prosecuting men for political offences. Can it for a moment be maintained that there is a political

element involved in the Plan of Campaign? The hon. Member for the City of Cork (Mr. Parnell) some time ago gave a definition of a political offence, and he said any offence committed against the State or against a class was a political offence. But that definition is certainly one which no lawyer or statesman would assent to. What is Boycotting? It is directed against individuals, and so is the Plan of Campaign. It is absurd to say that Boycotting or taking part in the Plan of Campaign is a political offence because the individuals injured form part of a class which may be regarded as obnoxious. The right hon. Gentleman has also brought other charges against the Government, and one of these has reference to the Return of cases in which sentences have been increased on appeal. I do not quite follow the argument of the right hon. Gentleman. His point appears to be that cases mentioned in the Return are cases under the ordinary law, and not under the Crimes Act. That is so; but how can the right hon. Gentleman regard it as a point in his favour. These cases show that the power of increasing sentences on appeal is within the jurisdiction of County Court Judges, and that such jurisdiction is exercised in ordinary cases. They simply show that the course pursued is not exceptional; that it is part of the administration of the ordinary law in Ireland, and therefore there was nothing exceptional in its being applied to offences under the Crimes Act. Then the right hon. Gentleman proceeds to criticize the return of cases; and he says that one of them is a case where the person who was fined for an offence under the Fishery Law appealed, and the County Court Judge, finding that the magistrate had not imposed a fine amounting to the minimum penalty, increased it. But the right hon. Gentleman did not mention that the County Court Judge also increased the alternative imprisonment in the event of the fine not being paid, which he was under no obligation to increase and that this increased term of imprisonment was actually undergone. So that that case is a perfectly valid instance of a sentence being increased on appeal. The right hon. Gentleman referred to certain cases in connection with Boycotting conspiracies, especially to the Milltown Malbay Boycotting case. An old woman, Hannah Connell, whose son took an evicted farm, could not get any bread or buy a farthing candle, and was three days and three nights starving, until a Mrs. Moroney took pity on her. It was proved before the County Court Judge that the men who were prosecuted told her to go out of their shops when she asked for goods, and gave as a reason that she was Boycotted. There was also evidence that the boys threw stones at her. It was proved by the son that he went to the meeting of the National League and asked for liberty to fish. They would not listen to him, and he was turned out of the room. That was a perfectly clear case of Boycotting. Then complaint is made of the police, because when they were being Boycotted they went to various shops and asked to be supplied with goods, and, on being refused, prosecuted some of those who refused them. This it is said is creating crime. I cannot see that. To say so, is to confound the creation of crime with the obtaining of evidence for the conviction of crime. In one case which was mentioned by the right hon. Gentleman, the prisoners themselves actually pleaded guilty; and in another, the clearest possible evidence of intimidation was forthcoming, it being proved that a number of men went to a field where a man was working for a Boycotted person and forced the man to leave his work. The cases brought before the House by the right hon. Gentleman were not cases which he was forced to deal with, but were culled by him, with the best assistance at his command, as illustrations of the harshness of the Government in Ireland.

MR. JOHN MORLEY: I said they were illustrations of the harshness of the Resident Magistrates.

MR. MADDEN: But this is an attack on Her Majesty's Government, not an attack on the Resident Magistrates. The question is—What is the case made against the Government in those cases which have been selected for the purpose of impeaching Her Majesty's Government? Oh? but it is said—It was the right hon. Member for Derby (Sir William Harcourt) who made the suggestion in the form of a question the other day—"We never entrusted the Resident Magistrates with jurisdiction

over so difficult a question as the Law of Conspiracy." The Act of 1882 has been gone through in this House over and over again, and every Member knows that its provisions are infinitely more stringent than those of the present Act. Moreover, I say that under the Act of 1882, jurisdiction was entrusted to the Residen Magistrate in a class of cases infinitely more difficult than those which are dealt with by the Act now in force—I mean that class which involved decisions on the law of unlawful assembly. The case of Mr. Blunt, although that was a case of unlawful assembly under the present Act, turned on the law of conspiracy, and every word of the judgment which I have read in that case could have been delivered with regard to a case under the Act of 1882. That being so, what becomes of the suggestion that we have entrusted jurisdiction to the Resident Magistrates which would not have been given to them by right hon. Gentlemen opposite? So much for there being any new departure, either in the class of cases or in the class of magistrates to whom they were entrusted under the present Act as compared with that of 1882. Now, Sir, I have gone through the instances which were mentioned by the right hon. Gentleman. The hon. and learned Member who last addressed the House (Mr. R. T. Reid) referred to certain cases on which I will say one or two words. He referred specially to cases in which persons were punished for selling newspapers. First of all, the hon. and learned Gentleman asked what that had to do with crime. My answer is that it was for publishing, with a view to furthering the objects of an unlawful organization, reports of its proceedings that those men were punished. These prosecutions are brought forward in support of the indictment against the Government as evidence of harshness of administration. In the first place, a caution preceded prosecution in every case. ["Oh, oh!"] I speak from information which has been furnished to me, and I state to the House that in no case was anyone prosecuted for selling or publishing newspapers without being previously warned, and further that no person was punished if he undertook not to repeat the offence. Is that the kind and class of prosecution which they bring before the House to support this indictment? With regard to the case of the hon. Member for East Mayo (Mr. Dillon) it has been said that he was convicted without having the case against him duly proved, without its ever being proved that he had done the acts with which he was charged. But did the hon. Member himself ever disavow it, either before the Court below or the County Court Judge? It is said he was convicted without legal evidence of the offence charged. If that was so, he was not bound to go before the County Court Judge at all. He was entitled to have the case legally proved against him, and was within his right in insisting upon that. If he was convicted without legal evidence, he might have had a case stated for the opinion of the Superior Court; but that is not the course he takes. He appeals to the County Court Judge. I will say one word with reference to the action of the County Court Judge. It was stated that he was asked to give what is called a "speaking order," by placing the evidence on the face of his order, so as to enable his decision to be reviewed. The County Court Judge had no more power to do that than any Member of this House. The order and the conviction appealed from might be affirmed, reversed, or varied by the County Court Judge, but he had no power whatever to make such an order as was suggested. Therefore, what is the use of making suggestions of that kind? If the suggestion is, that he was convicted without legal evidence, he might have gone to the Superior Court direct from the magistrate; but what is the use of saying the County Court Judge had not made a speaking order, when the magistrates had made a speaking order, and it was in the power of the person convicted to have the question decided by a case stated from them? Sir, the House is asked to condemn the Government on various grounds. It is asked to say, that in administering this Act they have been guilty of harshness; and, that they have been guilty of what the right hon. Gentleman calls chicane; and, as to the latter, I appeal to the judgment of the House as to whether there is a particle of evidence of any such thing. There are the judgments of the highest Courts in Ireland on the subject of the illegality of the combination against which the action of the

Government has been directed. The right hon. Gentleman has stated that he might enter into a combination in England which would be perfectly lawful in England, and for which in Ireland he would be had up before the Resident Magistrates. That I absolutely and entirely deny. I am able to point to a case which came before an English Court not long ago, and which was decided by a Judge who will be treated with respect by hon. Members—Lord Coleridge, the Lord Chief Justice of England. That was a case of conspiracy which the Lord Chief Justice in his judgment described as Boycotting. He decided that it was a criminal conspiracy, and he referred with approval to the judgment of an Irish Judge —Lord Fitzgerald—in an Irish case laying down the same principles as to the law of combination. And then we are told that you may enter into a combination which is legal in England but illegal in Ireland. Upon the whole facts laid before the House I submit that the case which is attempted to be made against the Government by the Opposition has failed; that this Act has been fairly administered; that although there has, no doubt, been some error, yet that no case has been made against the Resident Magistrates, and that no case has been made against the Government of unfairness or harshness in the administration of the law in Ireland.

Notice taken that 40 Members were not present, House counted, and 40 Members being found present.

MR. J. SINCLAIR (Ayr Burghs) said, that under ordinary circumstances he would never have thought of opening his lips for the first time in a debate in that House on so important a matter as the Government policy in Ireland; but he could not forget that the mandate with which he came from the electorate of his constituency—a mandate not two years old as was the case with many Members of the House of Commons, but a mandate not yet a fortnight old—was based mainly, he thought he might say exclusively, upon the very issues that had been raised by the Motion now before them. Therefore it was that he ventured to take part in the debate. It was not his intention to enter into any detailed statement of what was considered wrong in regard to Ireland, either in the operation or the administration of the Criminal Law Procedure (Ireland) Act—a matter which had already to a considerable extent been dealt with by previous speakers; and what he and his hon. Friends complained of would no doubt be amplified still more by others far more competent than himself to deal in the matter. But what he should like to do was this. Taking for granted the details, he would ask what was their general character, and what were likely to be their effects so far as it was possible to read them from the light of history? Their first accusation was, that these proceedings, carried on by the sanction, and under the direction of the Government in Ireland, underminded respect for the law. That was no new story, either as regarded a measure of coercion or a Tory Government. They could go back to three years ago, and recall the words of the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) when he said in reference to a matter of this kind—

> "I say that even by this one Act the Tories have done more to lessen the authority of law in Ireland than all the Radicals have said or done during the past five years—I might almost say, than all the nationalists themselves have said or done."

It would be interesting to know whether the right hon. Gentleman still adhered to that opinion, or whether he believed that since that time the Tory Party had redeemed their character by repentance and reformation. Most hon. Members on that side of the House, where he believed the right hon. Gentleman still sat, thought that not only were his words just and true at the time they were spoken, but that they were even more abundantly just and even more demonstrably true of the Tory policy at the present hour. That he took to be the meaning of the first clause of the Motion before the House. Now they took their stand on the principle which had been expressed in this wise, that the law did not create right, but that, on the other hand, right must dictate the law. If there were any truth in that *dictum*, he thought that when they found that the law had not been dictated by what they deemed to be right, and that, on the other hand, it went forward to the creation of what they believed to be wrong, it was no wonder

that the respect and reverence which they should otherwise count upon on the part of the people for the law should be no longer forthcoming. They found, for instance, in reference to the Crimes Act, that it created a number of artificial offences; and what were the usual effects of these? Not to impress the people with the idea that the law was something sacred, something great, something noble, but rather to manufacture opportunities and cut channels of temptation in the direction of the commission of crimes which the moral sense of the man within did but very slightly or very insensibly condemn. And that was not only the case when the law was unjust; it was sometimes true of laws which were wise and good when they were unduly and harshly administered. They were then like grapes, which when too much pressed produced harsh and unwholesome wine. They said, further, that these proceedings estranged the minds of the people of Ireland. He had heard of a worthy old lady who declared that the doctrine of total depravity was a blessed doctrine if only one could only live up to it, and so they might say that the doctrine of the equality of treatment as between Great Britain and Ireland was a blessed doctrine if only the Government would act up to it. He was especially interested in this particular aspect of the case because it referred to the treatment of the hon. Member for East Mayo, who was not in the House. He had had the pleasure, or rather he should say the honour, of taking part with him in a meeting a short time ago at Campbeltown, and he (Mr. Dillon) afterwards delivered what was practically his last public speech in the town of Ayr before going to prison. Now, in the former of those speeches Mr. Dillon dealt at great length with the question of agrarian disturbance in Ireland; and having listened to that speech, and read the speech for which he was prosecuted and sent to prison, he was bound to say that there was no substantial difference between them. But what did they find? The Government did not think it their duty, perhaps they did not think they were able, to take hold of Mr. Dillon because of what he said at Campbeltown. Why? It might be said by Gentlemen on the opposite side of the House that Mr. Dillon was not on that occasion addressing Irish tenants. But that argument would not hold water, because the words of a man of Mr. Dillon's position went swiftly over the whole face of the country, and the tenants of Ireland and the people of Ireland were too deeply interested in the movements and utterances of their Members not to have been certain to read what he had said at Campbeltown. But Campbeltown was not so very far from Ireland after all; only 30 miles of sea separated the two countries at that point, and yet they saw the difference of the treatment measured out by the Government in respect of substantially similar speeches delivered in the two places. He had heard with the greatest surprise the Chancellor of the Exchequer putting such an interpretation on Mr. Dillon's words in the speech for which he had been convicted, an interpretation suggested rather than expressed, which he did not consider consistent either with high honour or charity. It was a strange thing if words of the kind could not be used without certain people putting the very worst interpretation upon them, and that, he thought, was an unfortunate indication of the spirit that was running through the whole operation and administration of the Government policy with regard to Ireland. What results did the Government expect from their present policy? Did they expect the people to become more peaceable, more loyal, more contented, and more well-disposed towards the British Government? Surely not. The Government flattered themselves, in the language of Sir Edward Bulwer Lytton in 1833, that under the shelter of these oppressive laws they would be able to apply remedial measures with effect; but it was just the reverse; those laws would blight their remedies, and "throw their withering shadow over all their concessions." The policy of coercion as applied to Ireland seemed to him to be like the Sultan's horse, of which it was said that no green thing would grow on the spot where he trod. They might drive that prancing steed throughout the length and breadth of Ireland; but they must not look for the sweet flowers to spring up in the deep wounds of the living flesh of Ireland which his hoofs had made, for only those who had been nurtured in the generous breath of freedom and justice could be counted

upon for the side of loyalty and law. Now, he came to the third point raised by the Motion of the right hon. Gentleman the Member for Newcastle—namely, that these proceedings were deeply injurious to the interests of the United Kingdom. Perhaps they could not have ventured to make a statement of that kind if this had been the first application of a measure of coercion to Ireland, but now he thought they could safely do it. When thinking of the Crimes Act, the saying of Catharine of Russia often came to his mind, "There are laws which may be written on parchment which cannot be written on the skins of a whole people." Parliament, by pursuing the policy of coercion, were doing something which at no very distant date they would unquestionably first of all regret, and then be obliged to reverse. In that respect the Government and the majority in Parliament and the country which supported them were, in his opinion, doing nothing less than laying out money in the purchase of repentance, and the time would soon come when the saying of one of Ireland's greatest sons would be realized in this case as in many others—"We are very doubtful of our remedies, but the effect of our poisons is sure." They said in the interests of the United Kingdom, that the honour of the country had been tarnished by Irish Coercion Acts, and its unity in the broad sense endangered more by them than by any measure of self-government which could be proposed. More than that, in these times, they had to look to the very safety of the Kingdom, which, by these proceedings, might be imperilled. He thought he might venture to apply two adjectives to this policy. First of all he said it was heartless. He did not refer to these harrowing cases of imprisonment and arrest with which they were all so familiar, although with reference to those matters he might remark that that only disgraced a man which he had deserved to suffer, and therefore it was no wonder if some of these proceedings, so far from producing the effect intended by the Tories, raised the men who suffered by them in the esteem and admiration of their country. But this was a heartless policy, because it showed no real helpful commiseration for the admitted wrongs which existed in Ireland, and, on the other hand, it showed no real heartfelt sympathy with the just claims of the Irish people. Then, not only was it a heartless but it was a hopeless policy. It was hopeless in view of the lessons of the past, in view of the existing state of things in Ireland, and also because it gave no assurance of any better state of things even at the termination of the 20 years continuance prescribed for it by Lord Salisbury. Hon. Members were familiar with the beautiful pictures presented in Bunyan's Allegory. One of them was that at the interpreters' house there was shown a fire which burnt against a wall, close by which stood one who poured water on the flame, yet it burnt higher and hotter, and the secret of which was that behind the wall, and out of sight, stood another who poured oil upon it. It was so here—there burnt in multitudes of the Irish hearts and homes the aspiration for freedom from oppression and for self-government. Hon. and right hon. Gentlemen opposite had poured water upon it; how much water and how cold he would not venture to say, but the flame continued to burn higher and hotter, and why? Because it was fed from an invisible source by a precious oil, the main ingredients of which were the love of justice, the love of country, and the love of liberty.

Mr. T. W. RUSSELL (Tyrone, S.) said, two or three matters had been brought under the notice of the House in connection with the Motion of the right hon. Gentleman the Member for Newcastle on which he should like to say a few words. It had been stated that night that the Crimes Act itself was a breach of faith with the nation, and the Unionist Party had been accused of winning the election of 1886 on false pretences; that was to say, it had been affirmed that the Unionist Party stood on the cry of one Parliament and equal laws for the United Kingdom. He thought he had put that accusation strongly and clearly before the House. Now, as far as he was concerned, he pleaded not guilty to the charge. He knew Ireland a great deal too well to give any such promise or pledge. He did not need the speech of the hon. Member for Wexford (Mr. Redmond) at the Chicago convention to convince him that, after the events of 1886, it would be the clear and bounden duty of the Irish Members to make the Govern-

ment of Ireland by England impossible, and therefore on every platform on which he stood in Tyrone he had declared that if the ordinary law proved to be inadequate he would vote for strengthening it and making it adequate. Thus the charge to which he referred did not apply to him personally, and he was certain if the charge as against other Unionist Members were investigated the defence would be found to be as sound and solid. The present Debate was naturally coloured by the imprisonment of Mr. Dillon. He did not count that a small matter; on the contrary, he thought it a very sad and serious matter for the country. What he complained of was that hon. Members on that side forgot that Mr. Dillon had been in gaol before. [*Cries of* "No, no!"] Well, if they did not forget it they kept very quiet about it, which was the next thing to forgetting it. Mr. Dillon and many of his friends were sent to gaol some years ago without being charged with any specific offence, and they were kept there without trial. That was in 1882. Now to send Mr. Dillon to gaol in 1882 charged with no specific offence, and to keep him there without trial was a part of the "resources of civilization." To send him to gaol in 1888 charged with a specific offence, tried before a competent tribunal—[*Cries of* "Oh, oh!"] Did hon. Gentlemen deny that a County Court Judge was a competent tribunal? To send Mr. Dillon to gaol after trial by a competent tribunal was barbarism and inhumanity. Wherein lay the difference between the two cases? In the one case, that of 1882, Mr. Dillon was sent to gaol under the auspices and with the sanction of a Liberal Government, at the head of which was the right hon. Gentlemen the Member for Mid Lothian. In 1888, he was sent to gaol on a specific charge, tried before a competent tribunal, and sentenced under the auspices of a Conservative Government with Lord Salisbury at its head. That was really the only difference that he could see. If they turned to the Liberal Press of 1882, and if they consulted the Liberal speeches of that time, they would find practical unanimity as to the wisdom of the action of the Liberal Government and vociferous cheering at Leeds and the Guildhall for the "resources of civilization." But if they turned now to the same Liberal organs and to Liberal speeches, there was nothing but weeping and wailing and gnashing of teeth. He came now to the Motion before the House. It covered a very wide area—[*Ironical cheers*]—what he had said was no doubt inconvenient, but it was perfectly relevant to the Motion. It was not for him, a mere layman, to enter on the subtleties of the law of conspiracy, or to decide whether Resident Magistrates had always been right in the decisions they had given under the Crimes Act. There was a plentiful crop of lawyers in the House, who in such a discussion would be in their native element, and he would cheerfully leave it to them with two remarks. His first remark was that magistrates and Judges were not infallible either in England or Ireland, and his opinion, as a layman, was that it by no means followed that because the decision of an inferior Court was reversed it was necessarily incompetent. So far as he had been able to observe, much of the trouble which had arisen proceeded from the decisions of two out of three judges of the Exchequer Court, both of whom were famous lawyers. As he understood it, the point was whether on a *habeas corpus* Motion there was an appeal, on which question there were eight Irish Judges against two. He meant to go into the case of Mr. Dillon more minutely, and he hoped to show clearly why he should give his vote against the Motion. He had no personal feeling whatever against Mr. Dillon, who had said many things of him in Ulster which were utterly untrue, although he was sure Mr. Dillon believed them. But he had sat down deliberately in view of the whole case to investigate it on its merits as an honest juror would do. He did not know Lord Massereene, nor did he know any of the landlords whose estates were under the Plan of Campaign, and if he could urge any claim for intervening in the debate, it was that in a case of this kind he stood indifferent between landlord and tenant. He held that there were Members on that side of the House who would not challenge his contention. He had studied the Plan of Campaign as published originally in *United Ireland*, he had read Mr. Dillon's speech at Tullyallen on the 8th of April last, published in *The Freeman's Journal*, and he had read his speech at Keenagh, in the

county of Longford, which served as a kind of glossary to the Plan of Campaign; he had read the defence of Lord Massereene offered by his Lordship's agent; he had read the reports of the trial of Mr. Dillon before the Resident Magistrates, and also of the appeal at Dundalk, and he had also read yards of leading articles complaining of the conduct of the Government and challenging the action of the Court. He should like to know how many hon. Members had done as much. [*Cries of* "Oh, oh!"] Probably it had not been done by many hon. Members. The first question that he submitted to himself as if he had been a juror in the case was this—did Mr. Dillon in his speech at Tullyallen advise and advocate the Plan of Campaign? Having read that speech as a juror, he replied that no honest man could give anything but an answer in the affirmative to that query. Mr. Dillon had shown how the Plan of Campaign had succeeded on several estates, he spoke of the unbroken story of success, which was not entirely consonant with fact, and he showed with great power what happened to people who were unfaithful to it. He (Mr. T. W. Russell) was not going to take any meaning out of his words such as the right hon. Gentleman the Chancellor of the Exchequer had done that evening. It was unfortunate that Mr. Dillon had often spoken in a way which allowed certain conclusions to be drawn. In 1882 he declared that if certain cattle were put on some fields they would not prosper. He (Mr. T. W. Russell) knew that it was said that this might bear an innocent meaning; but, he repeated, that it was very unfortunate that the hon. Member should indulge in words susceptible of two constructions being placed upon them, and it was especially to be deplored that this was done upon a public platform in Ireland before an audience of peasants. While Mr. Dillon was speaking on that platform the Plan of Campaign was actually in operation, and it was absolutely idle to deny that Mr. Dillon was advocating the Plan of Campaign on the Massereene estate. He then asked, was the Plan of Campaign an illegal combination, and was it an offence to advocate an illegal combination? What was the Plan of Campaign? He would define it to the best of his ability, and he did not think that hon. Members would be able to cavil at his definition of it. In the midst of an acute crisis a rent strike was agreed upon. The rents upon the property were either fixed by judicial arrangement, or they were the subject of ordinary contract. The landlord offered an abatement, not an all-round abatement, but one which he deemed applicable to each case; his proposal was refused by the tenants, who made an all-round offer, which included the well-to-do farmer, who made and could pay his rent, as well as the poor cottar who had not made, and who could not pay his rent. The landlord refused this all-round offer, and the rent offered to the landlord was paid by the tenants to trustees into a sort of war-chest to be used against the landlord if necessary, and then the Plan of Campaign was complete. He maintained that the Plan of Campaign, as indicated in the original document, was absolutely indefensible. In the first place, it asserted the right of one party to a contract, or arrangement to vary its terms at his pleasure; and, secondly, it asserted that a well-to-do farmer who had made his rent, and was well able to pay it, should not pay it, because the poor cottar had not made his rent, and was unable to pay it. These two points were of the essence of the Plan of Campaign; and, in his opinion, they were grossly unfair and unjust. What was more important was that the Lord Chief Baron of Ireland, whom hon. Members below the Gangway professed to regard as an unbiassed Judge, had held that the Plan of Campaign was absolutely illegal, and that every meeting convened to advocate it was an illegal meeting, and was liable to be dispersed by force. That was not a pronouncement such as Mr. Justice O'Brien's in another case, it was a solemn and deliberate judgment which had been upheld by the Court of Appeal in Moroney's case. For his part, he could not go behind this decision of the Lord Chief Baron. The result was that he found that Mr. Dillon did advocate the Plan of Campaign; he was bound by the decision of the Lord Chief Baron that the Plan of Campaign was an illegal combination, and therefore he was obliged to find that Mr. Dillon had advocated an illegal conspiracy. He then asked, what was the defence which had been put forward on behalf of Mr. Dillon; and here he came to the real

germ of the whole question. It had been maintained that night by the right hon. Gentleman the Member for Newcastle that when Mr. Dillon spoke at Tullyallen the county of Louth had not been proclaimed under the Crimes Act. He wished to state frankly that that was not a defence that had been put forward by Mr. Dillon himself. Was he to be told that Mr. Dillon was only going to advocate the Plan of Campaign in places where it was safe for him to do so? He said that Mr. Dillon at Louth gave no countenance to such an idea, and it had never been put forward by Mr. Dillon himself, and he should never think of imputing to Mr. Dillon that he was capable of putting it forward. He said that no man who respected Mr. Dillon could possibly put forward this defence, that it would only go into a county where he was safe to advocate the Plan of Campaign. Certainly, he should not think of imputing any such motive to him. He now came to the case of the Massereene tenants; and in respect to them the contention was that their case was a desperate one. He had no doubt that, with regard to some of them, they were over-rented, as was the case on many other estates in Ireland. But he desired that the facts in reference to the Massereene tenants should be put fairly before the House. He must first ask whether there were judicial tenants upon the property, and it was a remarkable fact that only two of the judicial rents as fixed by the Commissioners had been appealed against. The tenants, whose rents had been judicially fixed, had had not only the original reduction, but they were entitled to the reduction under the Act of 1887. He denied that any fair-minded man could say that the Plan of Campaign was necessary in the case of those tenants. In the next place, he asked whether there were tenants upon the estate who held their land under ordinary leases? He had no doubt there were, and the door of the Land Court had been opened to them —a door which had been opened to them by a Government that had nothing but a coercive policy to offer to the Irish people, but which had been kept closed by right hon. Gentlemen who sat upon the Front Bench below him. It was the present Government which had opened the door locked by the right hon. Gentleman the Member for Mid Lothian.

MR. T. P. O'CONNOR (Liverpool, Scotland): It was opened to them by the Plan of Campaign, not by the Government.

MR. T. W. RUSSELL said, he would tell hon. Members below the Gangway what the Plan of Campaign had produced. It had produced the Crimes Act. Hon. Members below the Gangway had obtained a temporary Plan of Campaign but a permanent Crimes Act as the result of their herculean labours. Hon. Members below the Gangway contended that the Plan of Campaign was perfectly justifiable, inasmuch as there were £7,000 of arrears of rent due upon the estate. But he said that the Plan of Campaign was perfectly unjustifiable in the case of those tenants. He might be told that those arrears constituted a reason for the Plan of Campaign being directed against the estate; but the fact was that Lord Massereene had offered to do freely what the Bill of this year intended to do —namely, to deal with the arrears upon the same basis as the Commissioners had dealt with the rents. What did the hon. Member for Cork (Mr. Parnell) demand? He demanded that, and nothing more; and, therefore, he (Mr. T. W. Russell) repeated that, as far as arrears were concerned, the application of the Plan of Campaign to this estate was wholly unjustifiable. His next inquiry was, were there perpetuity leaseholders on the estate—holders of town parks and demesne lands? No doubt there were, and these were outside the Act. It might be that there were a few such tenants; but would the fact of there being a few such tenants justify the application of the Plan of Campaign to the whole of the tenants without any discrimination? He said no man could fairly rise in his place and answer that in the affirmative. Now, he wanted to show the House what sort of men some of the tenants on this estate were. He could understand great efforts being made in the case of poor cottars, who were unable to live on the land they tilled on the Western seaboard of Ireland; but he said frankly that a good deal of sympathy would be wasted in the case of tenants such as he was

about to describe. He had a dozen cases. First there was the case of Peter Roche, who was described in *The Drogheda Independent* as "one of the standard bearers of the Plan," who held two large farms under Lord Massereene and a third on a neighbouring property. This man held 50 shares of £10 each, fully paid up, in the Dundalk and Newry Steam Packet Company, 13 of which were seized and sold for £57 14*s.* 3*d.* in satisfaction of his rent. Would anyone tell him that the House ought to stand behind a man like that? He asked right hon. Members on the Front Bench below him why they had excluded such wealthy tenants as these from the operation of the Acts of 1870 and 1881? It was because they felt that such tenants were able to take care of themselves, but now "old things have passed away, and all things have become new." Did anybody think that the Plan of Campaign was justified in the case of Roche, who had other property probably besides what he had mentioned? There was another case in which the landlord seized eight head of cattle, 30 sheep, and 36 lambs. This was a poor struggling tenant who was unable to pay his rent! But it was only fair to say that the rent was paid after all. He had heard something about law costs to-night, and he stood there to assure the House that not one of those tenants ever instructed a solicitor to take up their defence; they had pleaded that they had never authorized a defence, and that the law costs had been heaped upon them without their knowledge or sanction. He would take the case of Michael Smith, a road contractor in addition to being a farmer, who assured the agent that he had never given instructions for the defence of his action, and had positively told the solicitor of the League that that was the course he intended to pursue. A defence was, however, filed by the League, and the result was that Smith was made liable for £37 costs. Lord Massereene, hearing that he was to have £8 from the Grand Jury, attached the money and paid himself, and Mr. Smith had to pay these costs simply because a defence was filed by a solicitor whom he had never seen and never instructed. [An hon. MEMBER: How did he get the writ?] That could be very easily managed. He would now take the case of James Burn. This tenant was evicted on the 4th of October, 1887, and at his eviction the hon. Member for Shoreditch (Mr. Stuart) was present. He had been formerly under agent on the Antrim estate of Lord Massereene. In 1864, when the particular farm became vacant, he obtained it on a lease of 31 years, at a rent which was £38 under the Government valuation; attached to the farm were several houses, from which he derived a profit rent of £42 a-year. He was one of the first to take up the Plan of Campaign, and other tenants soon followed. He refused an abatement of 10 per cent; it subsequently came to the knowledge of the agent that he was the sole owner of 20 shares in the Dundalk and Newry Steam Packet Company, which were attached, and on the last day for redemption these were bought back by Burn, who received the abatement referred to for which he had publicly expressed his acknowledgments. Then there was the case of Patrick Brannigan, who held a farm under a judicial lease at a rent of £126. He did not reside upon the estate, but he was a very active campaigner and joined in the protest against the rent. It was discovered before he was formally evicted in October last that he was the holder of ten £10 shares fully paid up in the Dundalk and Newry Steam Packet Company, besides shares in another Company. These shares were attached, and on the day before he was to be evicted he came to Lord Massereene's agent, paid the full amount due, together with costs, and was restored to his holding, being forgiven £10 in costs. This was another case to which they were asked that evening to extend their sympathy. He did feel for small tenants in times of acute agrarian distress, but he could not get up to the altitude of expending much sympathy on the holders of share property and of other property of this kind, and who had farms of such a size that right hon. Gentlemen on the Front Opposition Bench in 1870 and 1881 thought they ought not to be brought under the Acts at all. The third defence was the success of the Plan. He wanted to know whether success was to be set up as the test of the righteousness of anything. But he challenged this so-called success. He absolutely challenged

the statement. He knew it had succeeded on estates like the Dillon estate, where the holdings were small and the tenantry were numerous; but he denied that it had succeeded at Lugga-curran, at Coolgreany, on the O'Grady estate, or on the Ponsonby estate. On the contrary, it had failed and had imposed nameless hardships on the people who had succumbed to it. They had been compelled to strip their farms and sweep them as clean as a billiard table. People tenderly reared and brought up and living in decent houses had been obliged to herd together like swine in outhouses. This Plan had inflicted nameless horrors and disabilities on people who declared when persons went to visit them that they had been forced to join it and wished they saw the end of it. If hon. Members wished proof of that fact, and proof which could not be challenged, let them go to *Murray's Magazine* and read in the article by Mrs. Bishop, a lady who visited Ireland the other day, and who was not of the same way of thinking as he was, what she had to say about a dozen well-to-do families whom she found living under these circumstances, who had been forced out of their comfortable homes, who bitterly lamented it, and prayed God that the Plan might soon come to an end. He did not care whether the Plan had been successful or not; he was not going to stand up to vindicate successful villany. The next defence was the most potent of all; it was found in every Liberal newspaper and on the lip of every separatist Liberal; it was that Mr. Dillon should not have been condemned because he was Mr. Dillon. He deeply deplored the fact that any Member of that House should be brought into such a position; it betokened a diseased and disordered state of society. [*Cries of* "Oh!"] Why, the Chief Secretary himself would not challenge that statement; but until there was a section of the Crimes Act declaring that that Act should not apply to Mr. Dillon or any other Member of Parliament, no one had a right to demand that Mr. Dillon or any other man should go through Ireland inciting the people to do an illegal act. He desired to make his position entirely clear. Parliament had placed the Crimes Act upon the Statute Book. The Government were engaged in a great effort by its means to restore the sovereignty of the law in Ireland, and having had his share in placing that Act on the Statute Book, and he avowed it and gloried in it, he would be no party to weakening the hands of the Government in their resolute effort to enforce it. They and their instruments in Ireland might make mistakes; it was only an Irish Parliament that would not make mistakes. Very few mistakes had been made; but he should be no party to weakening the hands of the Government in the administration of that Act. He held firmly that so long as the Act in question was upon the Statute Book, it was quite impossible for the Government to allow the Act to be set at naught. Now he came to the question of Boycotting, and in his mind there never would have been this Crimes Act had it not been for the Plan of Campaign and Boycotting. Now, he was quite aware of the policy of the Liberal Party in relation both to the Plan of Campaign and to Boycotting. As a Party they did not adopt the Plan of Campaign as a plank in the Liberal platform, nor did they advocate Boycotting as a part of the Liberal propaganda. The time was not yet come for such a thing; but they delighted to honour the patentees of both these plans. It was one of those cases where liberty in non-essentials was lawful, and by-and-bye there would probably be subtlety of intellect enough on the Front Opposition Bench to prove that these things were not only admirable, but even Christian methods of political warfare. They had not come to that yet, but they might by-and-bye. It depended on the necessities of the position entirely; there was nothing too strong for a Liberal candidate now. When he (Mr. T. W. Russell) came to speak of Boycotting he did not mean exclusive dealing, but something else. Of course, if shopkeepers combined to prevent the police or obnoxious people getting bread or the necessaries of life, the task was a very difficult and a very delicate one; and he did not wonder that mistakes should be made in trying to enforce the law. He wanted to show Boycotting as he knew it. Take the case of Dowling as it appeared before the Judge Curran the other day. He said that that case perfectly illustrated the whole of the subject. What were the facts on which Dowling was convicted?

Here were two brothers in legal posession of a farm in the County of Kerry; they were joint owners, one paid his share of the rent and the other did not. The landlord evicted them both in order to get legal possession of the farm, and he put back into the farm the brother who paid the rent. The League deified the brother who paid no rent, but the other brother who did pay was Boycotted; from the day he paid his rent to the day of his death he lived under the protection of two armed policemen. Here was the National League shown in all its beauty, and he recommended the consideration of this matter to the right hon. Gentleman the Member for Newcastle (Mr. John Morley). Let them inquire still further. This man lived for some time under police protection. At 4 o'clock one morning last January, with the cold moon looking down on the scene—[*Ironical laughter*]. He noticed that not only in the House, but at public meetings he was in the habit of addressing, members of the Party which sat below the Gangway had a great objection to hear of this case; he could not understand why. On a January morning this old man got up, and with his daughter started for the fair at Listowel. The police started with him, but he told them when they had got a mile or so on the road that they might go back. They went back, and in a few minutes afterwards that old man, who had done no man wrong, but had striven to be an honest man, was foully and cruelly done to death before the eyes of his own daughter. Here came the point about Dowling. The trial took place; Norah Fitzmaurice swore at the trial of her father's murderers that she was afraid—and he asked the House to listen to this—that she was afraid to tell her priest that she knew the men. Could anything be more eloquent? The poor peasant girl, broken hearted and bereft, afraid to confer with her own priest on such a matter. Yes; but when the truth came out, what did this reverend gentleman say? He (Mr. T. W. Russell) quoted from the evidence. What did the priest say? This man, Father Sheehan, who ought to have comforted and shielded this brave girl in the absence of her murdered father, said to Norah, "You will get a deal of bother if you give evidence. There has been enough life lost already." This brave girl, he thanked God, rose to a higher altitude than that of her spiritual adviser; she did give evidence, and on her evidence her father's murderers were brought to justice. Let the House see what happened immediately. He would not dwell upon the fact that after the trial the Judge who conducted the trial, and who sentenced these men, was made the subject of furious tirades in *The Freeman's Journal* and *The Nation*, two newspapers owned and edited by Members who sat below the Gangway. This girl's father's murderers were taken back to Tralee. They were received, when they had been found guilty and sentenced, by a cheering crowd of people at Tralee—these people to whom the Opposition were so eager to submit the interests of himself and men like him. How was Norah Fitzmaurice received when she went back? She was Boycotted, and when she went on the first Sunday to the House of God itself, this man, Dowling, had the baseness to attempt to empty the chapel with the priest at the altar. He tried to Boycot the brave girl in the House of God. That man was tried by two Resident Magistrates; a Question was asked on the 24th of April in the House as to Dowling's sentence, so much interest was taken in him as all that. Dowling got six months under this very Crimes Act, and he (Mr. T. W. Russell) told the right hon. Gentleman the Member for Newcastle that he was proud that he had helped to forge the weapon that punished him. He was denouncing Boycotting, and he was going to produce the evidence of a Nationalist on that very point. [*Ironical cheers.*] Aye, a Nationalist known to hon. Members below the Gangway, and as pure a Nationalist as lived. He was not founded on the Plan of Campaign model he (Mr. T. W. Russell) admitted, still he was a Nationalist of the purest type. In a public pamphlet Mr. Rolleston—[*Derisive cheers*]—Yes; hon. Members below the Gangway would hear what he said about them by-and-bye. Mr. Rolleston, in a public pamphlet, and he asked the House to listen to what Mr. Rolleston said in answer to a Gentleman who once sat on the Opposition side of the House, used these words—

"I have no right to feel any great astonishment or reprobation at Mr. Laing's position. A little more than two years ago, I myself, in a passing allusion to the subject, wrote that Boy-

cotting, however illegal it might be, was in many cases justified by the magnitude of the legalised crime against which it is directed. I wrote as I have been forced to see, with very imperfect insight into the subject. It cannot, however, be pleaded for Mr. Laing that he has as little. I am that sure he sees as little as I did then the intimate, the necessary connection between Boycotting and violent crime. But by his own account he sees with perfect clearness what I did not see, or foresee—the manner in which Boycotting has been extended to punish not only those who try to benefit by landlord oppression at their neighbour's expense, but also all who are in any way guilty of thinking or acting for themselves. A tenant will be boycotted if he does not join the Plan of Campaign, if he makes and pays his rent for his own farm. *United Ireland* calls for the Boycotting of jurymen who, in cases of disagreement, desire to convict agrarian prisoners. Witnesses who give evidence against agrarian criminals are Boycotted, and not one Nationalist leader dares to risk unpopularity in the defence of these innocent sufferers. I have known a man ruthlessly Boycotted by a whole country side, and his life at tempted, simply for taking a situation from which a drunken and dishonest bogranger was dismissed, who used to take money from the neighbours to let their cattle break in upon his master's land. The Coercion Act saved that man. He stood to his post, prosecuted his enemies whenever he could. At last they got tired of it, and he is now, I believe, rather a popular person in the neighbourhood. I or any other man would ten times rather have spent six months in Tullamore Gaol, with or without prison clothes, than in the state of persecution in which this man lived for longer than that time. And, measuring his release against Mr. O'Brien's imprisonment, I am not prepared to call the Coercion Act a purely oppressive measure."

Was it because a magistrate here and there might have made mistakes, might have erred in administering the law—was it because the Lord Chief Baron with his highly trained legal intellect could find flaws in evidence and procedure which were not even visible to his co-Judges in the Queen's Bench, much less to the mind of an ordinary man—was it because of these things, that he (Mr. T. W. Russell), forsooth, was to be asked to vote for a Motion of Censure on Her Majesty's Government? He should do nothing of the sort. Now, as to the administration of the Crimes Act. What was the contention of the Opposition? It was this—that some, at least, of the Resident Magistrates were incompetent. For the present let that be so. He desired to call the attention of the House to this fact, that since Her Majesty's Government came into Office they had appointed but three Resident Magistrates. [Mr. T. M. HEALY (Longford, N.): Oh, oh! Oh, oh!! Oh, oh!!!] The hon. and learned Member for North Longford might cry "Oh, oh!" till 12 o'clock, if he liked; but he (Mr. T. W. Russell) said, so far as he was aware, and he thought it would trouble the hon. and learned Gentleman to find any more——

MR. T. M. HEALY: I say they have appointed a dozen.

MR. T. W. RUSSELL said, he was perfectly certain that the hon. and learned Gentleman would not be able to prove what he said. To the best of his judgment, and he kept a pretty strict look out on Irish politics, Her Majesty's Government had only appointed three Resident Magistrates. [*Cries of* "Give us the names!"] He was going to give the names. Everyone of the three was a highly trained and competent lawyer. The first was Mr. Hodder. Would anyone deny Mr. Hodder's competency to discharge the duties of a magistrate under the Crimes Act? Would anyone deny Mr. Shannon's capability? The third was Mr. Cecil Roche. He knew all these gentlemen, and what he had to say was that they all had very respectable places at the Bar. [*Cries of* "No, no!"] Oh; but he had lived in Ireland 30 years, and he maintained, from his own knowledge, that these men had all respectable positions at the Irish Bar, and were entirely competent for the work they had to do.

MR. MAC NEILL (Donegal): Shannon never practised at the Bar.

MR. T. W. RUSSELL: Well, but there were lawyers who had practised that were not worth much. Now, what he maintained was that the right hon. Gentleman the Chief Secretary had been burdened with the tools Lord Spencer had left behind him; the right hon. Gentleman had these gentlemen on his hands; and the thing that astounded and astonished him (Mr. T. W. Russell)—he could not get over it—was that these men were entirely fit to administer the Crimes Act in 1882. But, said the right hon. Gentleman the Member for Derby (Sir William Harcourt), they had no Law of Conspiracy to administer. Yes; but they had a great many things to deal with that were not in the present Crimes Act. He protested against the persistent attacks upon these Resident Magistrates, both from below the Gangway and from above the Gangway. These attacks were to be expected from Members

below the Gangway, and no one was surprised when they came from that quarter; but for men, who had sat at the banqueting table with Lord Spencer when he bore testimony to the services of these very men, to join in any such attacks was something little short of a scandal. These men were performing difficult and dangerous duties under the most trying and disadvantageous circumstances, and it was not censure but high praise they deserved at the hands of this House. A good deal had been said in the country about the conduct of Dr. Webb and Mr. Hickson, County Court Judges, in increasing sentences on appeal in certain cases under the Crimes Act. A Return had been laid on the Table giving some information upon the subject. He did not care one straw for that Return, or for what it might contain. What he asked was, had these County Court Judges, who were not removable, a legal right to act as they acted? That was the question he wished to put. The Court of Exchequer, the favourite Court of hon. Gentlemen below the Gangway, had decided that these men had a legal right to act as they did act. Very well, that being so, he would ask the right hon. Gentleman the Member for Newcastle, these County Court Judges having a legal right to increase sentences, what right, legal or otherwise, had the Government to interfere with them? He maintained that the functions of the Courts of Law in this country through a not inglorious past had been to stand between the people and the Crown, and if the Government had dared to interfere with these County Court Judges he said that then the House might have passed a Vote of Censure upon the Government for their interference. These Judges had a legal right to act as they did, and the Government had no legal right, no moral right to interfere, and they would have been worthy of censure if they had interfered, and the House had no manner of right to challenge the action of the Government for the conduct of men with whom they had no business to interfere. He should vote against this Motion, because he did not believe any one of its propositions. He honestly believed there was more, and not less, respect for law since the Crimes Act was enacted; he believed, indeed, that it might have still further estranged the minds of evil-doers, but he also believed it had made life possible and enjoyable for many thousands of honest men. He did not believe it to be injurious to the common interests of the United Kingdom. The great function of law was that it should be a terror to evil-doers, and a protection to those who did well; the law was for the transgressor, not for the righteous. Addressing the General Assembly of the Free Church of Scotland, the other day the Moderator of the Irish Assembly assured his Scotch brethren that not one of the 600,000 Presbyterians in Ireland was one whit the worse for this tyrannous code. The same thing could be said for every law-abiding citizen in Ireland, and, after all, they were not in such a wretched minority as people thought. This law, and the manly resolution which had been displayed in its enforcement, had affected all those—and he asked the attention of hon. Members to this—it had affected all those who did not pursue political ends by fair Constitutional means, but who resorted to the compulsion of their neighbours as a fair means of political warfare. It certainly did interfere with them. Did they doubt what he said, because, if so, he appealed again to a witness who was not on his side. He asked the House to listen to what Mr. Rolleston had to say upon the point—

> "And when Norah Fitzmaurice, on her return to Kerry, is fiercely boycotted, and two of her persecutors sent to gaol—miscreants proved to be guilty of something even baser than murder itself—a Parnellite Member gets up in Parliament, with the tacit approval of his Party, to protest against the severity of their sentence. I have striven long—perhaps too long—to resist the evidence of for this solidarity of crime. I can resist it no longer. Too clear it is to me that approval or support of the Irish National League means a consent to iniquities than which the chronicles of the world's worst causes, bloodier though they sometimes be, can show nothing more abominably vile."

That was from a man who believed in "Ireland a Nation," but who did not quite see that the Plan of Campaign was going to make her one. So long as he (Mr. T. W. Russell) had health and strength he should protest against what was nothing more nor less than the assassination of free political thought in Ireland. He said to Irish Members below the Gangway, in all candour—"You wish an Irish Parliament; I do not." But that was neither here nor

there. He agreed to fight it out, but let hon. Members wage their fight as all honest political fights had been waged in the past. This House was free, they could go to the sovereign people of this country; they had the people to go to—[*Cheers*]—and he could go too. Let them go to that sovereign people; let them carry their plans if they could, but he protested against an Irish Parliament being secured at the expense of character, at the expense of the freedom of those who honestly differed from them. It was not thus that Irish patriots fought in the olden times; at least he did not read Irish history in any such way. It certainly required a great stretch of imagination to picture Thomas Davis defending the Plan of Campaign, and it was a great demand on the imagination to fancy honest John Martin claiming the right to Boycott his neighbour because he did not agree with him. He conceded the right of hon. Members to get whatever they could by fair means in that House, but he denied their right to punish people who did not agree with them, and who thought that hon. Members, in trampling down all free thought, and in obliterating the difference between right and wrong, were the enemies and not the friends of Ireland. He, for one, most heartily rejoiced that there was an Act of Parliament which declared in the clearest terms, that if hon. Members would do these things, they should and they must take the consequences of their action.

MR. SHAW LEFEVRE (Bradford, Central) said, he thought he should best consult the convenience of the House if he confined himself mainly to one topic, and dealt chiefly with Mr. Dillon's trial and the Massereene tenants. His hon. Friend who had just sat down, and who claimed to speak impartially, evidently knew nothing at all of the case of the tenants on that property. He (Mr. Shaw Lefevre) was present at the trial of Mr. Dillon, and he was proud to stand beside him on that occasion. It was his good fortune during the last few weeks to see much of Mr. Dillon, and the more he had seen of him the more he had been impressed by the nobility of his character, by his patrotism, and by his deep human sympathy. This opinion did not materially differ from that of the Chief Secretary for Ireland, who, speaking at Battersea, not long ago, said that Mr. Dillon was able and eloquent, and of high honour and character. Yet this man of high honour and character was to be sent to prison as an ordinary criminal without trial by a jury. It was that of which they complained. Being in Ireland he was strongly urged by the tenants of Lord Massereene's property to visit them. He did so, and heard their story and also the story of Lord Massereene from his late and from his present agent. He also heard the story of the priest of the district, and he thought he was now in possession of the whole of the facts, which he believed were such as would convince many hon. Members who disliked the Plan of Campaign that there was much to be said for the course advocated by Mr. Dillon in the speech for which he was prosecuted. What were the facts? In 1886 there was a general fall of prices, and Lord Massereene's then agent, Mr. Wynne, advised his Lordship that all the rents of the property ought to be reduced, and recommended a reduction of 15 per cent in the case of non-judicial rents and of 10 per cent in the case of judicial rents. He gave the same advice to other owners. Lord Massereene refused to make any reduction at all. What was more, he dismissed his agent for his leniency to the tenants and for giving such advice. The tenants then met in a body and sent a deputation to Lord Massereene, who declined even to receive them or to make any reduction whatever. The tenants then entered into the combination known as the Plan of Campaign. They refused to pay their rents unless abatements were conceded to them of 25 per cent in the case of non-judicial rents and 20 per cent in the case of judicial rents. He had often said in public that there were in the Plan of Campaign features which he disapproved and disliked; but he had also said that the essence of the Plan was combination, and that combination was necessary and important in the circumstances which he had described. It was indeed the only way in which the tenants could meet such men as Lord Massereene and Lord Clanricarde. The Plan of Campaign was a desperate remedy for a most desperate evil. There never would have been a Plan of Campaign if the Government in 1886 had, in answer to the demand of 86 out of

101 Irish Members, proposed legislation to deal with the agrarian crisis, and the Plan of Campaign would have disappeared last year, or even this year, if the Government had dealt with the question of arrears in response to the almost universal demands of the Irish Members. When the tenants entered on the Plan of Campaign Lord Massereene put his affairs into the hands of the firm of well-known Dublin solicitors, Messrs. Dudgeon and Emerson, whose function it was to put down combinations by proceeding in a manner which they were familiar with. They took law proceedings of the most expensive character against the tenants of this property, and loaded them with law suits of every kind. It appeared that about 130 tenants originally adopted the Plan of Campaign. Out of these about 38 settled at various times. But these solicitors issued 47 writs of summons in March last year in the Superior Courts, 37 in June, 47 in September, and 24 in April of this year. They instituted proceedings in bankruptcy in nine cases, and in 70 cases they issued ejectments in the County Courts. Besides that there had been numerous seizures which the firm had carried out themselves. By proceedings of this kind they harassed the tenants with law costs—in one case where the rent was £130 the costs of the ejectment had amounted to £124. In another case of bankruptcy, in which the tenant owed £43 rent and there was only one other creditor for £5, the costs amounted to £120. Ten tenants in all were evicted, and their farms were now derelict. In one case where there was resistance 10 persons were sent to prison under the Coercion Act for various periods with hard labour. More recently the solicitors of Lord Massereene had endeavoured to draw away the people from the Plan of Campaign by offering more favourable terms than before. In many cases of tenants on Lord Massereene's property the Land Commission had given their judgment on fair rents; in other cases the Land Commission had given their decision under the Act of last year with respect to judicial rents. As a matter of fact, the Land Commission had made very large reductions of rent in many cases to an extent greater than was originally asked for, the average reduction being 23 per cent, while under the Act of last year the judicial rents had, on an average, been reduced 15 per cent. Under the advice of his present agents Lord Massereene had recently offered to make his tenants the same abatement of arrears, both in respect of original and judicial rents, as the Land Commission had given. There could not be a doubt that if this offer had been made two years ago instead of being kept back to the present time, there would have been no combination, no ejectments, and no trouble whatever; but if the Plan of Campaign had not existed he would never have offered these terms, and to that extent the Plan of Campaign had been successful. At that moment there was no longer any difference between Lord Massereene and his tenants on the subject of abatement; but there still remained two great difficulties in the way of a settlement—namely, the costs which had been piled up by Lord Massereene's solicitors and the re-instatement of the evicted tenants. Unless those two questions could be settled amicably between Lord Massereene and his tenantry, there could be no peace on the property. He had often heard it stated that there would have been a settlement upon the property if Mr. Dillon had not gone down and made a speech. He ventured to say that that was not the fact, and he could prove it to the satisfaction of the House. The offer to which he had just adverted was made by Lord Massereene through the parish priest, Father Toofe, who was one of the two priests in the district not favourable to the Plan of Campaign. Father Toofe consulted the Archbishop of Armagh on the subject, and in reply his Grace sent a letter, which presented the case of the tenants in as calm and unprejudiced a manner as possible, and showed the real difficulties now standing in the way of a settlement. The Archbishop wrote—

"I am sorry to say I can see in the proposal made but very slight reasons to hope for a satisfactory settlement. It appears that at this stage of the dispute the amount of reduction is a secondary consideration. The costs seem to me to be one main obstacle. From what I have heard I believe that the tenants, with the best will in the world to do so, would not be able to meet their costs or anything approaching to the amount. True, the solicitors say that their costs have been swelled by the useless defences taken by the tenants. From the information I could gather I am led to believe that these costs have been piled up to such enormous figures by vexatious actions taken in the Superior Courts

while the decrees of a County Court would have served all practicable purposes equally well. But, apart from the many questions, I see in the solicitors' letter indications of an intention which, if carried out, would render an amicable settlement of the dispute, and one that would lead to permanent peace, impossible—(1) It appears from the letter that Lord Massereene wishes to deal with the tenants individually. That means war, not a peaceable settlement. (2) It appears his Lordship intends to make victims, and I am very much mistaken if that intention does not shut the door against all amicable arrangement. He may perhaps succeed in patching up some kind of temporary arrangement on these terms; but it will leave an amount of smouldering discontent which is likely to break out into a fresh flame of still greater violence."

That letter very accurately described the present condition of things, and pointed out very clearly the difficulties in the way of a settlement. He had since seen Messrs. Dudgeon and Emerson on the subject, and had done his very utmost to bring about a settlement. He impressed upon them his belief that Lord Massereene must give way on the question of costs and the re-instatement of evicted tenants, but he was sorry to say that Messrs. Dudgeon and Emerson stated that Lord Massereene was inexorable on the subject of evicted tenants. It was under those circumstances, and knowing the facts he had mentioned, that Mr. Dillon made the speech complained of. He took it that that speech meant that the tenants should stand by the evicted tenants. Mr. Dillon considered that they were bound in honour, having entered into combination, to stand by those who had suffered for their cause, and he begged them not to come to an agreement unless they could make an agreement affecting all of them. With that view of the case he entirely agreed. He believed that Mr. Dillon was acting rightly in giving that advice, though he did not undertake to father all the speech Mr. Dillon made. It was true there were some expressions of a rather doubtful character, and though he would rather not have used them he did not agree with the interpretation that had been placed on them by the Chancellor of the Exchequer. Substantially he agreed that after what had taken place the tenants on Lord Massereene's property were bound as honourable men not to come to a settlement unless it dealt with the case of the evicted tenants. He would illustrate this by what occurred on his visit to the property. He met 12 of the poorest of the tenants on the property, who were miserably poor people, all holding land under £8 a-year. They had joined the Plan of Campaign two years ago, and were now three years in arrear. Only two months ago the Land Commission reduced their rents by more than the abatement they originally asked—namely, by 27 per cent. Lord Massereene's solicitors had offered to make them the same abatement for arrears as the Land Commission had made in respect for rent if they would abandon the Plan of Campaign and pay their rents. They said they were very well satisfied with the terms offered them. To his inquiry whether they were going to agree to the terms they said—"No; we mean to stand by the Plan of Campaign, we mean to stand by the evicted tenants." He would ask hon. Members opposite what advice he should have given these men. Should he have told them that he disapproved of their conduct and recommended them to abandon the evicted tenants? [Mr. W. H. SMITH made a gesture of assent.] If the right hon. Gentleman thought so, he disagreed with him on the point of honour. As a matter of fact, he did not then know the facts of the case; but with the knowledge he now had, he should not hesitate to tell these tenants that they were bound as men of honour to stand by the evicted tenants. He did not know whether that declaration would bring him within the Criminal Law; but he presumed that, if the law were as laid down by the Judges in Mr. Dillon's case, had he spoken in that sense, he would have brought himself within the Criminal Law. He was quite ready to go back to Ireland and make a speech in that sense to those tenants only subject to this—that he should be tried by a jury. He was convinced that no jury in the United Kingdom would convict him of crime for giving advice of that description. No jury could have been found in Ireland which would have convicted Mr. Dillon of the offence with which he was charged. The Government had shown they knew that by the pains they had taken to procure his trial before Resident Magistrates. That showed that the Government was perfectly aware that they could get no jury in Ireland to convict Mr. Dillon, and it would have been equally difficult in any

other part of the United Kingdom. It was the province of juries to temper the Criminal Law in such cases as this, and to distinguish between what were political and what were criminal offences. Their belief was that if it were any offence at all it was a political offence, and a political offender ought to have been tried before a jury and not sent to prison like an ordinary criminal. One main complaint they had to make against the Coercion Act, especially in the case of Mr. Dillon, was that men who had been convicted of purely political offences had been treated by the Government as ordinary criminals. It was the first time in history that a Government had treated their political opponents as ordinary criminals. There was not in the history of the country a precedent of that kind. Many references had been made to the Coercion Act of 1882, and it was said that Mr. Dillon and others were sent to prison under it. Yes, but they were not treated as ordinary prisoners, but as political prisoners. If we could imagine the two great antagonists in this case—the Chief Secretary and Mr. Dillon—side by side, and could take the verdict of the country upon their case—if the question could be put which of the two was the real patriot and the benefactor of Ireland, he ventured to think that by a considerable majority the verdict would be in favour of Mr. Dillon. The same majority, however, would not desire to treat the Chief Secretary in the manner in which he treated his political opponents; its desire would be that his only punishment should be the contemplation, in retirement, of the wreck and destruction of his Irish policy.

COLONEL SAUNDERSON (Armagh, N.) said, he thought he could congratulate the right hon. Gentleman (Mr. Shaw Lefevre) on taking a more rosy view of the opinion of the House than the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley). Apparently, the right hon. Gentleman was of opinion that the House would, by an overwhelming majority, approve of the action of Mr. Dillon and disapprove of the action of the law and of the Government. He imagined that to-morrow night the right hon. Gentleman would no longer be of that opinion. Then the right hon. Gentleman informed the House how the Government ought to have acted in settling the Irish Question; he said that if they had consulted the wishes of the Irish people there would have been no more difficulty at all. Well, but what part of the Irish people did he mean? He certainly did not mean that part of the Irish population which he (Colonel Saunderson) had the honour to more or less represent. He (Colonel Saunderson) could quite conceive that if they did away with immunity from crime they would have no more criminals. There were a section of the Irish people who held certain views and who had adopted certain courses, and he could quite understand that if their advice had been followed they would have been perfectly satisfied, and they would not have adopted those courses which the Government and the law in Ireland at the present time were confronting. Then the right hon. Gentleman made some very brave statements as to his intentions. Why did he not make those speeches in Ireland? He said he was ready to make them, but he never did make them over in Ireland. If the right hon. Gentleman really sympathized with Mr. Dillon and his views, why did he not get up in Louth, when he was over there, why did he not get up at Woodford, when he was over there, and boldly state that he sympathized with the Plan of Campaign and with the resistance which a certain section of the Irish people were offering to the law of the land?

MR. SHAW LEFEVRE said, he spoke at Woodford in precisely the same sense as he had spoken in the House that night.

COLONEL SAUNDERSON said, he did not exactly know in what sense the right hon. Gentleman had spoken. Certainly the right hon. Gentleman said he was ready to make the same speech in Ireland, but with a very remarkable reservation: he must have the choice of a jury. He did not find so much fault with the right hon. Gentleman for his visit to Louth; but he did find great fault with him, considering the knowledge the right hon. Gentleman possessed of the affairs in Ireland, for his visit to Woodford. The right hon. Gentleman knew perfectly well, he must have known, from his well known intelligence, the condition and the character of the neighbourhood of Woodford, to which

he went to throw oil upon the fire, to incite as far as he could—at least that was how he read the right hon. Gentleman's speeches—to incite the tenantry to continue resistance to what he (Colonel Saunderson) believed to be the law of the land. The right hon. Gentleman must have known, when he went to Woodford, that in that neighbourhood, in the course of seven years, nay, a little over six years, there had been 11 agrarian murders, 54 violent outrages, seven cases of firing into dwellings, 49 cases of threatening letters, and that there were 95 persons wholly Boycotted, 119 persons partially Boycotted, and 31 happy Irishmen under police protection. That was what they called in Ireland a hot neighbourhood. Knowing this perfectly well, as the right hon. Gentleman must have done, he went over there and backed up the efforts which were made by Irish agitators to hound on this inflammable and criminal population to further resistance of the law. He left the right hon. Gentleman to the judgment of every right-thinking man in the House of Commons and the country. He would now proceed to say a word or two on the speech of the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley). The right hon. Gentleman the Member for Newcastle had had ample preparation for the task he had to perform. Not only was he a gentleman of great talent and ability and remarkable ingenuity of intellect, but he had also the assistance of 85 hon. Gentlemen below the Gangway who were as sharp as needles, who read every speech —especially his (Colonel Saunderson's)— who lost nothing that took place at any Petty Sessions Court in Ireland, who examined with the keenest interest all the proceedings of the magistrates of whom they were so fond; and yet, with all the ability which undoubtedly did exist below the Gangway, and with his own acumen, the right hon. Gentleman made out the very weakest case that had ever been presented to the House of Commons. The right hon. Gentleman appeared to him to be a just man labouring under difficulties in hot weather. Then the right hon. Gentleman went on to say that in 1890, when an appeal was made to the country, the result would be the same as in 1880. He was glad the right hon. Gentleman gave them two more years of life. He thought, from the speeches he had heard, and from the articles he had read in newspapers, that his Party was on the point of disruption, that a General Election was in the immediate future, but now they found that they had two more years of life. He ventured to prophecy that this Government and this Unionist Party, with two years of life yet before it, would have ample time to settle for many a long year this Irish Question. The right hon. Gentleman made use of one extraordinary argument—he attacked the Government for locking up Mr. Dillon; and why? Because he said Mr. Dillon was a man of vast power, ability, and popularity. Well, he never in his life heard such an argument as that for not locking up a man who broke the law. Was it possible that in the 19th century—which was supposed to be a century of civilization—that because a man had succeeded, no matter how, in gaining power and attaining to popularity, which was really a very evanescent property, he might with impunity defy the law of the land. Surely the right hon. Gentleman could not have been serious when he made that the ground of attack on Her Majesty's Government for shutting up Mr. Dillon. The right hon. Gentleman had gone on to ask, how could you shut up a man who is received by deputations and Boards of Guardians, and as a culminating point, as a mark of power and popularity, has had the unprecedented honour of receiving an address signed by 150 Members of Parliament.

An hon. MEMBER: No Irish Member signed that.

COLONEL SAUNDERSON said, he was afraid, with all due respect to the hon. Gentleman below the Gangway, that he must discount these 150 Members of Parliament. Eighty-five were bound to sign when they were told. [*Cries of* "No, no!"] Did hon. Gentlemen deny that? Did hon. Gentlemen opposite deny that they had to sign the pledge? [*Cries of* "No, no!"] Besides, Mr. Dillon did unquestionably represent the policy of the Separatist Party, and, therefore, even if no Irishman signed the address, he could quite understand any Separatist Member signing it, because Mr. Dillon was the great

exponent of the policy that the Separatist Party had adopted. So he did not at all wonder at the Address. Then the right hon. Gentleman had gone on to say that there had been a great deal of loose talk about the Plan of Campaign, and had defended, so far as he (Colonel Sanderson) had understood him, the Plan of Campaign on this ground—he said the reduction proposed by the Plan of Campaign in many instances had not been so large as the reductions granted by the Land Court. Now, the objection to the Plan of Campaign by himself (Colonel Saunderson) and his Friends was not that the reductions the Plan of Campaign proposed were in excess of the reductions granted by the Land Court. That was not the ground they had taken in opposing it; certainly not. He was not now saying whether the reductions proposed by the Plan of Campaign were greater or whether they were less than those granted by the Land Court. As he said, those were distinctly not the grounds upon which they opposed the Plan. They opposed the Plan of Campaign because they submitted to the House and to the country that no organization had a right to force upon them what the law did not decree. They refused absolutely to be bound by any organization in Ireland, whether it called itself the Plan of Campaign or whether it called itself the National League, and that was their objection to the Plan. The Plan of Campaign had now been declared to be illegal by the Judges of the land; it had even been declared to be immoral by the Pope. [*Ironical cheers.*] Fancy living to see the day when hon. Gentlemen below the Gangway opposite would deride the Pope? Why, he ventured to say that a very short time ago, if he had ventured to laugh at the authority of his Holiness, hon. Members below the Gangway would have risen at once and have said that he was insulting their religion, and now they were the first to deride him when he found that their policy was opposed to the Ten Commandments. Those were the reasons why they on that (the Ministerial) side of the House had taken objection to the Plan of Campaign. The right hon. Gentleman had done him the honour to quote a speech he had made at Ayr, and he was very glad the right hon. Gentleman had done so, because he thought that was rather a good speech. He (Colonel Saunderson) had made a statement in that speech which the right hon. Gentleman had mentioned. He had not made that statement in the heat of the moment, because he generally spoke with great deliberation. He had stated his belief that the settlement of this question would never ultimately be reached until they had their heel upon the necks of these people, and the right hon. Gentleman had said—and he (Colonel Saunderson) was sure that he believed absolutely what he did say—that in saying that he (Colonel Saunderson) referred to the Irish people. He had never meant anything of the kind. He had meant hon. Gentlemen below the Gangway opposite. [An hon. MEMBER: It is the same thing.] He had made that statement in answer to a speech made by Mr. Dillon himself. Mr. Dillon, in a speech he had made in Dublin, had declared that this was "a life and death struggle out of which only one party would come alive." Well, if anyone came alive out of this struggle, he (Colonel Saunderson) meant to be the man—that was, if he could. Then the right hon. Gentleman had gone on to attack the action of the police in Ireland in what he had called these "got up cases." But the right hon. Gentleman must know perfectly well, if he knew as much about Ireland as he ought to know, having been Chief Secretary in that country, that no man could come forward in Ireland to establish a Boycotting case, except at the peril of his life, and that the only course that could have been adopted was to break up this conspiracy by the action of the police, and by making those prosecutions; and whether the action of the Government had been a success or not he left the House to judge from a telegraphic despatch which he had just received to the effect that Judge Curran, in addressing the Grand Jury in the County of Kerry—a county which, he was sorry to say, had had the worst reputation—had said that—"Moonlighting had almost disappeared, and Boycotting was a thing of the past." Well, he must say—and he thought he spoke for every hon. Member on that (the Ministerial) side of the House—that he hailed with unbounded satisfaction the Motion that the right hon. Gentleman the Member for Newcastle had placed on the Paper.

He hailed it for this reason, that this debate would have the effect of crystallizing and putting into a permanent shape the policy of their opponents. He (Colonel Saunderson) had spoken a good deal about the country, sometimes with success and sometimes with the reverse; but the difficulty he had always found was to dress up and place before the people the policy of their opponents. He used the words "dress up" advisedly, because their opponents never supplied them with any clothes of their own. Their policy changed from day to day. They were a short time ago wild about the Home Rule policy, but they had learned from the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) that for the time being Home Rule was a thing of the past, and that a new issue altogether had been placed before the country. Therefore, they had hitherto found great difficulty in enforcing upon the people of the country that there were two policies placed before them, and that they had to choose between them. He thought this debate would make the issue clear and distinct. [*Cheers and Laughter.*] He was extremely glad that he had at last said something with which hon. Members opposite could agree. [An hon. MEMBER: You are always funny.] He and his Friends differed from hon. Gentlemen opposite on the proper understanding of fundamental principles. They differed altogether as to what the word "liberty" meant. [*Cheers.*] Yes, absolutely, he admitted that. He admitted that he held old-fashioned views. He believed that "liberty" meant what he always understood it to mean—what the Liberal Party as well as the Conservative Party in former times held it to mean—namely, that it was the right of every man in this country to do what he pleased within the boundary of the law, and that to allow a man to do what he pleased outside the boundary of the law was not "liberty," but license. Now the Separatist Party held entirely different views as to what liberty meant. So far as he understood them, liberty, in their minds, meant that a man might do what he pleased even outside the boundary of the law so long as he happened to be either a Nationalist Member of Parliament or a Member of the National League. He (Colonel Saunderson) could not conceive that that definition of the word "liberty" would find permanent access to the minds of the English people. Then they disagreed altogether as to the meaning of "legal obligation." He and his Friends had always understood that "legal obligation" meant the obligation of every citizen of this country, or indeed any other civilized country, to obey the law until that law was changed. But according to the definition of "legal obligation," which they had learned, especially from the Front Opposition Bench, if a law was a bad law its badness was to be decided, not by the House, but by the various persons in the country with whom the law interfered, and they were perfectly justified in breaking it and setting it at defiance. Crime was to be punished with the utmost severity —even the right hon. Gentleman the Member for Derby (Sir William Harcourt) would agree with that—so long as it was free from the garments of Irish Nationality; that was to say, so long as it was invisible. If they could only dress up crime, in the opinion of the Irish Nationalists or Land Leaguer it was to be altogether above the law of the country. The right hon. Gentleman the Member for Derby spoke of the National League as a perfectly legal combination. How could any man, how could any Member of the House who had held the position of responsibility which had been held by the right hon. Gentleman, hold for a moment and have, he might say, the audacity to state before an intelligent audience, that this National League was a perfectly legal combination in face of the fact that an Act of Parliament passed by the British Parliament had declared it to be illegal. The National League had been proclaimed, and in many parts of Ireland it had been suppressed, and yet they found the right hon. Gentleman the Member for Derby defending the action of Mr. Dillon and other Members of the Party below the Gangway who, when they got down to parts of Ireland where the Land League had been suppressed and made speeches there, advocated their action and said that the combination was a perfectly legal one. Well, the right hon. Gentleman the Member for Derby, he must say, adopted methods in his attack upon the Government without parallel in the his-

tory of Parliamentary warfare. What did the right hon. Gentleman say—what did he say the other day at Stockport? Why, he informed his audience that the right hon. Gentleman the Chief Secretary for Ireland in imprisoning Mr. Dillon was doing it simply out of spite to revenge himself for the blow Mr. Dillon gave him at Ayr. [*Cheers.*] He could quite understand hon. Gentlemen below the Gangway opposite cheering that. That was also their opinion; but he ventured to say that no statesman in this country had ever yet adopted so mean a method in trying to injure a political opponent. It was not his (Colonel Saunderson's) right hon. Friend who had caused the imprisonment of Mr. Dillon; it was caused by Mr. Dillon himself; it was owing to the fact that Mr. Dillon had chosen to state it as his deliberate intention to go on defying and breaking the laws which this Parliament had passed. He would say this for Mr. Dillon, that he was above-board in his statements. He had some respect for an enemy who openly stated what his intention was and carried it out, and he would say this for Mr. Dillon, that he had been very clear and distinct as to what his intentions were—namely, to defy the Government and to defy this Coercion Act which Parliament had passed. It was because Mr. Dillon had thus deliberately violated the law of the land, and not because the right hon. Gentleman the Chief Secretary for Ireland had any spite against him, that Mr. Dillon now found himself in an Irish gaol. But these were not always the views of the right hon. Gentleman the Member for Derby about Mr. Dillon and about the organization of which he was one of the chiefs. He (Colonel Saunderson) did not like to weary the House with quotations. [*Cries of* "Go on!"] He meant to go on, for it would be a pity to lose any of the refreshing eloquence of the right hon. Gentleman. He had taken some trouble with the speeches of the right hon. Gentleman the Member for Derby and the right hon. Gentleman the Member for Mid Lothian. He had arranged them in years—he kept them in bins, like port wine. He had them in various vintages which he occasionally, as circumstances required, decanted, and he had tried to discover, but had absolutely failed in discovering, how it was that Gentlemen who liked the vintage of 1881 and 1882 of the right hon. Gentleman the Member for Derby could swallow and digest and smack their lips over the vintage of 1888. He would ask the House to listen for one moment to what the right hon. Gentleman the Member for Derby said about Mr. Dillon and his organization in this House in 1881. He said—

> "We have heard the doctrine of the Land League explained by a man who has authority to explain it,"

that was to say, Mr. Dillon—

> "and to-morrow every subject of the Queen will know that the doctrine so explained is a doctrine of treason and assassination. To-morrow the civilized world will pronounce its judgment on this vile conspiracy."

That was the vintage of 1881, and now he (Colonel Saunderson) would pour out a little of the 1888 vintage. The right hon. Gentleman said—

> "To-morrow the Government were going to send to prison Mr. John Dillon, a man who had done more to defend the poor and the oppressed in Ireland than any other man."

Here they had the right hon. Gentleman standing up before the House of Commons, a man, according to the best authority, in whose veins coursed the blood of the Plantagenets, deliberately adopting as the policy of his Party the doctrines of treason and assassination. He could understand any man changing his mind. It was done every day. They had a right to change their minds as often as they liked; but he maintained that they had no right whatever to expect others to follow them in that change unless they gave a logical account of how that change had taken place; and never yet had the right hon. Gentleman, either in the House or at any of the many meetings which he had addressed from time to time, stated he had altered in one iota the view he had entertained of the organization he now employs as one of the chief engines of his policy. He was glad that Mr. Dillon was the main subject of this debate, and that it was his imprisonment which had called forth this Motion of the right hon. Gentleman, because Mr. Dillon was the chief exponent, the principal embodiment, and the very life-blood of the National League. They could not disassociate Mr. Dillon's speech at Louth from the speeches which he had made at other

places. The right hon. Gentleman the Member for Newcastle said he thought that probably Mr. Dillon regretted, or might regret, the words he had recently used in Ireland. He could assure the right hon. Gentleman that he was mistaken in this belief. The reason he said so was, that he happened to hold in his hand three separate speeches delivered by Mr. Dillon, in which he iterated and re-iterated the same sentiments. He maintained that it was against men of this kind that the Crimes Act had been directed, and ought to be directed, if Ireland was to become a civilized country, and was not to be handed over to a criminal agitation which was sapping its very life-blood. What did Mr. Dillon say at the Rotunda last year, in speaking of the action he intended to employ? He said—

"If there is a man in Ireland base enough to back down and turn his back on the fight now coercion is passed, I pledge myself in the face of this meeting that I will denounce him from public platforms by name, and I pledge myself to the Government that, let that man be who he may, his life will not be a happy one in Ireland or across the seas. I know perfectly well what I mean, and you know what I mean."

He should rather think they did. Making a man's life not a happy one in Ireland had already been exemplified by the case of Fitzmaurice, and now by the case of his daughter, and by hundreds of others who had been persecuted and tormented by the nefarious organization which it was the bounden duty and which he believed it would be the ultimate honour of this Government to destroy. But immediately afterwards, in the following month, Mr. Dillon went down to Limerick, and, showing how this subject dwelt in his mind, said—

"I say that the man who stands aside in such circumstances is a dastard and a coward, and he and his children after him will be remembered in the days that are near at hand when Ireland will be a free nation."

What a happy country Ireland would be when she was a free nation, when a man, because he dared to follow his own wishes and opinions, was denominated as a dastard and a coward, and was held up to public execration and was hounded on to death and destruction. But he found that the same idea rankled in the mind of the hon. Gentleman, and in a speech which he made in Kildare on the 28th May last, it appeared that he held the same opinions. This system of intimidation had always been, and would always be, the backbone of the policy of the National League.

"Do we not know perfectly well?" said the hon. Member, "that we tried every means. Those who went before us tried good means and they tried bad means, a good many of them, and they did not succeed; and there never was the slightest bit of success until we hit upon the dodge of making it hot for the man who took his neighbour's land."

The right hon. Gentleman the Member for Newcastle need not therefore believe for a moment that the words that he had condemned were words that had sprung unbidden to the lips of the hon. Member for East Mayo. They were the words which accurately described now as they had described all along the only means by which hon. Members below the Gangway and the organization which they led had carried on their work in Ireland. Then the hon. Member for East Mayo went down to Louth. In one instance, which he should quote to the House, they would find that this principle of intimidation dogged the steps, or did dog the steps, of Mr. Dillon until he was put out of the way. This was a case that occurred on the estate of Lord Massereene. Within the last few days a tenant on the estate at Cullen, who had permitted the time for the redemption to expire, paid his rent and was restored to his holding, the sum of £12 being accepted to cover outlay in the action. Matthews's rent was paid by his son, James Matthews, vice-president of the local branch of the National League. On being questioned by the agent, he said his father had paid one year's rent into the Plan of Campaign. He was asked to whom he paid it, and he replied that he did not know, as his rent was paid through a window in a place in Cullen, and his father could not see to whom he paid it. On being interrogated as to whether he got a receipt, he said that he did, but there was no name to it. That was a Land League receipt. It merely said that the sum was subscribed to the Plan of Campaign. Matthews was accompanied by another tenant on the same estate, named Gallagher, who had been served with a civil bill process to appear for judgment at the Drogheda Quarter Sessions last Monday. Gallagher also paid his rent. The movements of these two men were watched, and they were summoned to appear before the local branch of the

National League on Sunday, June 10. Gallagher denied and Matthews admitted the payment of the rent. The chairman then said "You are a second James Carey"—a man whose fate the House was no doubt well acquainted with. That was the way a man's life was made uncomfortable for him "even beyond the sea." Would this House, would this country, when they understood the real issue before them and the nature of this organization, condemn the Government because they endeavoured to secure for poor men like Gallagher and Matthews that they might live in Ireland without the danger of meeting with the same fate as James Carey? He did not believe the country would. But the hon. Member for East Mayo was not alone in his determination to hound to death, if possible, a man who might disobey the decrees of the organization. He saw the hon. Member for North-East Cork (Mr. W. O'Brien) in his place, and that hon. Member had made a speech in which he spoke of the classes he meant to destroy in Ireland. On the 29th May the hon. Member said—

"It is now or never, now and for ever that we are called upon to make a stand for the liberties of our citizens and for the undying cause of Ireland. We will obey Rome to the death in religious matters, but we will not obey Rome in politics. We will stick to the Plan of Campaign until some more effectual plan makes its appearance; we will stick to Boycotting, and we will continue to regard every land-grabber and every exterminator as a public pest and a public enemy, more dangerous to society than a leper."

That was to say, if any unfortunate Irishman happened to "back down," or to resist the policy of the hon. Member for North-East Cork, he was to be treated as a pest and a leper. Would the country venture to sanction such a policy as that? The more these things rang in the ears of the people of England the more they would find them rallying to the support of a Government whose object it was to render such things in Ireland impossible. There was recently a banquet at which were gentlemen who had earned the approval of their countrymen by breaking the law, and being, in consequence, imprisoned; and at this banquet the policy of the separatists was clearly defined. If he wanted to know what was the policy of the right hon. Gentlemen on the Front Opposition Benches, he should not apply for information to them, but to those who dictated the policy. The hon. Member for West Belfast (Mr. Sexton) made a speech of his usual eloquence at the banquet. He said, speaking of the Separatist Party—

"They had won the extended franchise for Ireland, by the use of which they had attached to the Irish cause the Liberal Party. It was not, it appeared, because the Irish cause was just, but because the extended franchise had enabled the Irish Party to return 85 Members that the Liberal Party had adopted that cause."

And then the hon. Gentleman went on to say—

"That they had secured for the tenants of Ireland that great change in the position of the main body of the Irish people by which they were converted from tenants at will into legal joint owners of the soil."

The hon. Gentleman continued to say—

"Such a vast change had never before been achieved in the history of the world in so short a time, except by means of an armed revolution."

And yet hon. Members would go about the country, and perhaps to the Isle of Thanet, and tell the electors that they were defending the cause of the oppressed tenants in Ireland, whom the right hon. Gentleman said had had gifts conferred upon them unparalleled in any country in the world. To adopt the words of the right hon. Gentleman the Member for Mid Lothian, of former years, the Government were not fighting against the people of Ireland, but they were fighting to deliver them from a tyrannical yoke. This was the task which they had taken in hand, and in which they believed they would ultimately succeed. At the banquet in question many statements were made; but there was one very signal omission, the health of Her Majesty the Queen was not drunk, and the toast of the evening was "Ireland a nation." In the many speeches which had been delivered by hon. Gentlemen opposite, they had heard no word of "Ireland a nation." He should like to hear right hon. Gentlemen opposite get up and state that "Ireland a nation" was the policy for which they were fighting. But "Ireland taking her place among the nations of the world, free from outside control," was the sentiment of the hon. Member for Cork a few years ago. That policy had been continuously carried on, and the

words, if they meant anything, meant the disruption of the Empire. He could not feel a doubt for a moment that, though the Government might lose bye-elections on false issues, when the people of the country were brought face to face with the reality of the policy presented by the Opposition, they would not hestitate to decide in 1890, or whenever a General Election took place, that the policy of the Unionist Party was the one which they should adopt. It was his wish that that policy should succeed, because he trusted to the respect for the law which existed in this country. This he believed to be the backbone of the country, because upon it were founded its greatness, its freedom, and its prosperity; and he had no doubt that when right hon. Gentlemen opposite confronted the people, they would find at the end of their path—which he and his hon. Friends believed to be a path of shame and dishonour—the condemnation of the British people.

Motion made, and Question, "That the Debate be now adjourned,"—(*Mr. William O'Brien,*)—put, and *agreed to.*

Debate *adjourned* till *To-morrow.*

ORDERS OF THE DAY.

—o—

WAYS AND MEANS.—COMMITTEE.

WAYS AND MEANS—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1889, the sum of £2,366,400, be granted out of the Consolidated Fund of the United Kingdom."—(*Mr. Jackson.*)

MR. T. M. HEALY (Longford, N.) said, it was somewhat remarkable that at such an hour the Government should attempt to press Business of that nature without any kind of explanation. Still, perhaps there would be no objection to the Vote being taken, if it was known what the Government proposed to do with the other Business down on the Paper, in the short time that still remained.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, he only asked the Committee to take the Resolution in regard to two Votes for the Army and Navy which were taken the other night, and as to which there was general consent, that there should be no opposition. He deferred those Votes upon which it was agreed opportunity should be given for discussion. The money was urgently required, and he hoped no objection would be now raised.

DR. TANNER (Cork Co., Mid) said, he must move to report Progress, as a protest against what was growing to be a systematic practice of taking important Business at such an hour.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Dr. Tanner.*)

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, he trusted the hon. Member would not insist on that Motion against what had always been regarded as purely formal Business, and which was in fulfilment of obligations already entered into by the House. No new Vote was asked for; this was merely following the formal procedure with which all Members of experience were familiar, and which required the confirmation in Ways and Means of a Vote agreed to in Committee. There really could be no reason or motive for opposition to a stage always agreed to as a matter of course.

MR. T. M. HEALY (Longford, N.) asked, would not Members have been entitled to move Motions on the Question of the Speaker leaving the Chair?

MR. W. H. SMITH replied in the negative.

MR. EDWARD HARRINGTON (Kerry, W.) said, as the right hon. Gentleman had given an explicit answer, and shown that he was merely conforming to the Rules of the House, his hon. Friend would do well not to press his Motion. It was agreed that one Vote for the Army and Navy should be taken, and no advantage was being taken by the Government; and his hon. Friend, with his usual generosity, would surely not persist. If he did, his Friends would be under the necessity of voting against him; and, after that, they might "expect the deluge."

DR. TANNER said, he would not have attempted to oppose, were it not that the Government were ready on every possible occasion, no matter what the hour, to try and obtain Votes for

large sums of money without any discussion. But there ought to be discussion; the country ought to know what the money was for. The other night, when another Vote came under discussion——

MR. CONYBEARE (Cornwall, Camborne) said, he was sorry to interrupt his hon. Friend, but he begged to be allowed to claim to move, "That the Question be now put."

THE CHAIRMAN withheld his assent, and declined then to put that Question.

DR. TANNER proceeded: If he quite understood that the right hon. Gentleman would not follow the bad precedent which had had its effect on the present occasion, of applying the Closure, and checking discussion when a Money Vote was asked for—if the right hon. Gentleman would amend his ways in the future, and appreciate these remarks, he (Dr. Tanner) would show himself amenable to reason, and withdraw the Motion. He did so, however, on the distinct understanding that the right hon. Gentleman would behave himself well in the future.

Motion, by leave, *withdrawn*.

MR. CONYBEARE felt he owed a word of apology to his hon. Friend for his impatient interruption, and recognized the impartiality of the Chairman.

Original Question put, and *agreed to*.

Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1889, the sum of £2,366,400, be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow*.

Committee to sit again upon *Wednesday*.

SUPPLY.—REPORT.

Resolutions [21st June] *reported*.

First Resolution read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the First Resolution."

MR. CONYBEARE (Cornwall, Camborne) said, there were several things in connection with the Vote upon which both himself and other Members were desirous of addressing the House.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, it only related to the two Votes he had referred to.

MR. CONYBEARE maintained his objection.

It being Midnight, the Debate stood adjourned.

Debate to be resumed *To-morrow*.

BAIL (SCOTLAND) BILL.—[BILL 286.]

(*The Lord Advocate, Mr. Solicitor General, Mr. Solicitor General for Scotland.*)

CONSIDERATION.

Order for Consideration read.

MR. T. M. HEALY (Longford, N.) asked if, under the temporary suspension of the Midnight Rule, it was intended to take any of these Bills?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, it was not intended to do so.

Consideration, as amended, *deferred* till *To-morrow*.

WALTHAM ABBEY GUNPOWDER FACTORY BILL.—[BILL 273.]

(*Mr. Brodrick, Mr. Secretary Stanhope.*)

SECOND READING.

Order for Second Reading read.

THE FINANCIAL SECRETARY, WAR DEPARTMENT (Mr. BRODRICK) (Surrey, Guildford) said, if the House would agree to take the second reading of this Bill, he would then propose its reference to a Select Committee. It was to the interest of the public as well as of the War Department that the question should be settled.

DR. TANNER (Cork Co., Mid) objected.

Second Reading *deferred* till *To-morrow*.

CORONERS' ELECTIONS BILL.

(*Mr. Wootton Isaacson, Mr. Gourley, Mr. Ambrose, Colonel Hughes.*)

[BILL 178.] SECOND READING.

Order for Second Reading read.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney) said, he was quite willing to agree that the Bill should not apply to Ireland; but in England the Bill was much needed.

MR. T. M. HEALY (Longford, N.) said, he would advise the hon. Member to move the discharge of the Bill, and bring in an amended Bill; he would be in exactly the same position.

Second Reading *deferred* till *To-morrow*.

MOTIONS.

—o—

LEGAL BUSINESS OF THE GOVERNMENT.

Motion made, and Question proposed,

"That there be laid before this House Copy of the Report of the Committee appointed by the Treasury to inquire into the system of conducting the Legal Business of the Government." —(*Mr. Jackson.*)

MR. T. M. HEALY (Longford, N.) said, he must object to this, unless the Irish information were included. Surely it was very important to Irish Members.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, the hon. and learned Member had rather misunderstood the Motion. This was a Departmental Inquiry held into the Legal Department of the Treasury. The Committee, after holding many meetings, had made their Report, and it was thought desirable that this Report should be laid on the Table, so that hon. Members interested might see it.

Question put, and *agreed to.*

Copy *presented* accordingly; to lie upon the Table, and to be printed. [No. 239.]

BUILDINGS (METROPOLIS) BILL.

On Motion of Mr. Whitmore, Bill to restrict the height of Buildings in the Metropolis, *ordered* to be brought in by Mr. Whitmore, Mr. Tatton Egerton, Sir Algernon Borthwick, Mr. Lawson, and Mr. Forrest Fulton.

Bill *presented*, and read the first time. [Bill 305.]

INTOXICATING LIQUORS (NEW LICENCES) BILL.

On Motion of Sir William Houldsworth, Bill to suspend the grant of new Licences for the sale of Intoxicating Liquors, *ordered* to be brought in by Sir William Houldsworth, Mr. W. F. Lawrence, Colonel Bridgeman, Mr. Hobhouse, and Mr. Samuel Smith.

Bill *presented*, and read the first time. [Bill 306.]

PERPETUITY LEASES (IRELAND) BILL.

On Motion of Mr. T. W. Russell, Bill to enable the Lessees of Perpetuity and other Leases excluding from "The Land Law (Ireland) Act, 1887," to purchase the interests in their holdings, *ordered* to be brought in by Mr. T. W. Russell, Mr. Lea, and Mr. W. P. Sinclair.

Bill *presented*, and read the first time. [Bill 307.]

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Jackson.*)

MR. EDWARD HARRINGTON (Kerry, W.) said, he wished to ask the hon. Gentleman (Mr. Jackson), in the absence of the President of the Board of Trade, whether the Provisional Order (No. 2) Bill, set down for Wednesday, would really be taken on that day? It had been postponed from day to day, in consequence primarily of the controversy that had arisen in reference to to Salvation Army processions at Torquay. In that question he did not profess to take any interest; but, unfortunately for him, Tralee was mixed up in the same Bill with Torquay. He suggested that, instead of taking the Bill on Wednesday, the interval before Public Business on an ordinary Sitting should be utilized, and all temptation to Members to protract discussion to the disadvantage of the next Business of the day would be avoided. The question he had to raise concerned an expenditure of £5,000 at Tralee, and he was anxious to hear what objection there could be to giving traders of the town a seat on the Harbour Board. But he only desired now to know if the Bill would really be brought on on Wednesday, or perhaps the Secretary to the Treasury would give an answer at the next Sitting of the House?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) said, he was unable to give the hon. Member the information; but he would answer the question later.

MR. CONYBEARE (Cornwall, Camborne) said, the interest of Torquay in the Bill was great, if it could not vie with Tralee, and he had reason to believe that there would be long discussion on the Bill, 87 Amendments having been given Notice of. Possibly much of the discussion might be avoided by another postponement.

Question put, and *agreed to.*

House adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 26th June, 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—Reformatory Schools Act (1866) Amendment * (178); High Courts in India * (184).

Second Reading—Suffragans' Nomination (176); Companies Clauses Consolidation Act (1845) Amendment (170); Distress for Rent (Dublin) (171).

Committee—Factory and Workshops Act (1878) Amendment (Scotland) (76).

PROVISIONAL ORDER BILLS—*First Reading*—Drainage and Improvement of Lands (Ireland)* (179); Gas (No. 1)* (180); Local Government (No. 6)* (181); Local Government (No. 9)* (182); Local Government (No. 12)* (183).

ZULULAND—RECENT DISTURBANCES. QUESTION.

THE EARL OF KIMBERLEY: Seeing the Secretary of State for the Colonies in his place, I wish to ask whether he has received any recent news as to the state of affairs in Zululand?

THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): Having seen different reports in the newspapers from time to time, I telegraphed yesterday to Sir Arthur Havelock, Governor of Natal, asking for information, and I regret to say that I received from him this morning the following telegram:—

"Your telegram of yesterday. Usibepu and followers were attacked and defeated by Usutus near Ivuna 23rd June; it has consequently been found advisable to withdraw police office at Ivuna, which was attacked at the same time. Usibepu took refuge with police. No casualties among police. Force sent from Nkonjeni safely returned yesterday, brought back all from Ivuna, including Usibepu and families, women and wounded of his tribe. Have just conferred with Lieutenant General, Cape of Good Hope, as to sufficient number for force. He reserves opinion until arrival in Zululand, whither he proceeds to-morrow."

FACTORY AND WORKSHOPS ACT (1878) AMENDMENT (SCOTLAND) BILL.

(*The Earl of Aberdeen.*)

(NO. 76.) COMMITTEE.

House in Committee (according to order).

Clause 1 (Short title) *agreed to.*

Clause 2 (Application of Act).

LORD BALFOUR wished to point out to the noble Earl in charge of the Bill that it could hardly pass as it stood, because the clause said that the Bill should come into operation on the 1st of April, 1888.

THE EARL OF ABERDEEN said, his attention had already been called to the point, and he proposed to substitute the 1st of September, 1888, as the date when the Bill should take effect.

Amendment made.

Clause, as amended *agreed to.*

Clause 3 (Amendment of Factory and Workshops Act, 1878).

LORD BALFOUR observed that he had given Notice of certain Amendments, all of them having the same purpose in view, which was to secure that those employed in factories in rural parishes should not be put in a worse position than those so employed in burghs. In the hope that his Amendments would be accepted, he would not trouble their Lordships with arguments upon them.

THE EARL OF ABERDEEN remarked that the Amendments in question were perfectly consistent with the scope and purport of the Bill, and would be welcomed by him. At the same time, he thought his noble Friend would agree with him in regard to the subject to which one of the Amendments referred, that the abolition of Fast Days which prevailed in the burghs had not yet extended to the country districts, except, perhaps, in a few special cases. It was somewhat unusual to anticipate by an Act of Parliament the growth of public opinion in any particular direction, however desirable such growth of public opinion might be. There was one other consideration of a practical character, and that was that they must be satisfied with what they could get. In other words, he had doubts as to how far the acceptance of the noble Earl's Amendment might endanger the passage of the Bill through the other House. He would suggest, therefore, that the Amendments should not be pressed at this stage, but should be brought up on Report after there had been an opportunity of consulting those interested in the question.

LORD BALFOUR said, his experience differed from that of the noble Earl, as, in the rural districts which he was familiar with, the Fast Days had been to a great extent given up. He would, of course, accede to the request of the noble Earl. He understood that if he brought up the Amendments again there would be no objection to the form of them.

THE EARL OF ABERDEEN: Neither to the form nor the principle.

Clause *agreed to.*

Remaining Clauses *agreed to.*

The Report of the Amendments to be received on *Thursday* the *5th of July* next.

PARLIAMENT—EVIDENCE BEFORE SELECT COMMITTEES—OBSERVATIONS.

LORD CLINTON, in calling attention to the conditions under which evidence was given before Select Committees of the Houses of Parliament in certain cases, said, he was extremely sorry to have to call their Lordships' attention to this subject, especially as he had to do so chiefly on account of a personal matter. He thought it was much to be regretted that the private affairs of individuals and their conduct in reference to the management of their property should be brought before Select Committees without any previous notice being given to them, and without their knowledge, and that, when such evidence had been given, the persons concerned should have no right to see it. A Committee had lately been sitting in "another place" on "Town Holdings," with the object, he believed, of inquiring into the terms upon which leases of land were granted to persons for building purposes. He heard, by chance, that his own name had been very freely used before that Committee. Witnesses had come forward and made certain statements with reference to the management of his property in the town of Redruth in Cornwall, and, among other things, it had been suggested that in consequence of the agitation on the subject of the Leaseholds Enfranchisement Bill he had granted leases for long terms of years instead of on lives. This was contrary to the fact; it had never been his practice to give leases for lives, though he had succeeded to many; he altered the system long before the above agitation was heard of. He had no objection whatever to his conduct being made the subject of public inquiry if it served any useful public purpose; but what he did object to was this—that such an inquiry should be conducted behind his back, and that when he asked to see the evidence he should be told he could not see it until it was too late to take steps to refute it. Of course, the witnesses might have spoken in the most perfect good faith, and with as much accuracy as witnesses who gave evidence of the business and motives of another man could pretend to; but, on the other hand, they might have had a particular object in view, and coloured their evidence accordingly; or they might have a grievance against the person about whom they gave their evidence, and it was only by cross-examination and the opportunities of reply that the value and credibility of such evidence could be tested. He would submit, also, that when inquiries were made as to private property, the agent who managed that property should be called among other witnesses, and that a Committee should not rely merely on what he must be permitted to call for this purpose second-hand evidence. As soon as he heard that the matter had been brought before the Committee he directed his agent to ask for leave to be examined before the Committee and to see so much of the evidence as affected him (Lord Clinton). In reply to that application the Committee clerk, on the 12th of June, said—

"I beg to acknowledge the receipt of your letter, and to inform you that it has been laid before the Select Committee on Town Holdings. The evidence taken before a Select Committee is printed for the use of the Committee only until it has been reported to the House."

Some persons might have been discouraged by this reply, accepted it as final, and submitted patiently to what would have been an injustice. He hoped their Lordships would not think he was unduly impatient when he said that he was not content with that reply. At all events, on the 14th of June, he addressed the following letter to the Committee clerk:—

"I am not aware whether I am to consider your letter as a definite refusal on the part of the Committee to allow this portion of the evidence to be seen; but, if so, I would respectfully request the Committee to reconsider their decision. I am perfectly aware of the general rule which you quote, and which is laid down by both Houses of Parliament, but I cannot think that that rule is intended to be strictly applied in a case where the conduct of an individual has been called in question, and where evidence has been received which might reflect upon his character. I understand that evidence has been given as to the manner in which my property in Redruth and in other parts of Cornwall has been managed, and this has been done without any notice whatever, and my agent knows nothing of the nature of the evidence given except what he has been able to gather from newspaper reports. It is a serious matter for anyone to be placed, as it were, on his trial before such a tribunal as a Committee of the House of

Commons without any notice and without his knowledge, and it is surely unjust that the evidence should be withheld from him until the Committee have agreed upon their Report and his opportunity of reply and explanation has passed away. I think I may therefore fairly appeal to the Committee to allow my agent to know, through the official report of the proceedings, what has been said which affects me, and also that he may have, if necessary, the opportunity of replying to it."

On June 15 the Committee clerk replied to the effect that a copy of that portion of the evidence which affected him (Lord Clinton) would be sent to his agent at Devonport. Their Lordships would observe that there was no answer to his request to be heard, though, by the favour and courtesy of the Committee, he was allowed to see the evidence. He did not propose to comment on the evidence that had been given with regard to his property and his conduct. That was not the time or place for doing so. He would only say that the evidence contained many inaccurate statements, and inferences were drawn from them and motives suggested which were either false or misleading. It was most unfair that upon such evidence, uncontradicted and unknown to the person most concerned, the Committee should base their Report. Several of their Lordships had much the same complaint to make as himself. There were Lord St. Levan, Lord Robartes, The Lord Steward, and also Sir Redvers Buller. Under the present system individuals might be put on their trial before a Committee and not even know that they had been tried until the case had been summed up, the verdict given, and the Court by whom the case was tried had reported to the House which had directed the inquiry. He made no charge against the Committee, but he thought that what had occurred in this case showed the necessity of some alteration in the rules and regulations with regard to the proceedings of Select Committees. The practice of their Lordships' Committees was the same as that of the other House. An inquiry into the sweating system was now going on upstairs. As a Member of that Committee he would not divulge what had taken place; but it was well known that serious charges had been brought against long-established firms and individuals—one of whom was a Member of the other House—and no notice had been given to them that their conduct was about to be impugned. It was not in accordance with the principles of justice and the spirit of English law that charges should be made and no opportunity should be afforded to meet and refute them. He thought it would not be difficult to find a remedy. Witnesses who intended to attack individuals should be asked if they had given notice of their intention, and if they had not, their evidence should be postponed until they had done so; the person concerned should have access to the evidence which affected him, and should have the earliest opportunity of explanation and defence.

THE EARL OF KIMBERLEY said, he was almost in the same position, though not quite, as the noble Lord. He had no personal complaint to make of the Committee of the House of Commons. But he might mention that he saw in the newspapers a summary of a statement made before the Committee in regard to his property in Cornwall, and he took steps to see a copy of the evidence that had been given. He found that evidence full of inaccuracies, but as the matter was not one of much consequence he took no further notice of such evidence. The witness who gave evidence as to the management of his property informed the Committee that, in consequence of the recent agitation, the granting of leases for lives had been discontinued. As a matter of fact, the practice of granting such leases was relinquished 40 years ago. He did not think that the witness desired to be inaccurate, but he certainly was. He quite agreed with the noble Lord that, not only in the interest of private individuals, but in the public interest, where charges against individuals, especially if they related to personal character, were made, those individuals ought to be afforded an opportunity of meeting those charges before the Committee drew up its Report. He did not like to lay down an absolute rule, but he hoped that a Committee of neither House of Parliament would be likely to neglect so obvious a duty.

THE SECRETARY TO THE BOARD OF TRADE (The Earl of ONSLOW) said, he had no doubt that the proceedings which had recently taken place before Committees of both Houses of Parliament had given rise to a great deal of just dissatisfaction. A number of pri-

vate individuals, such as the noble Lord, and various firms had been attacked, and their reputation to some extent endangered; but he did not suppose that any Committee, either of this or of the other House of Parliament, would for one moment wish to refuse to those individuals or to those firms a full opportunity, if they sought it, of justifying their character and of defending themselves. In the case to which the noble Lord referred, before a Committee of their Lordships' House, he might say that that Committee at once took steps to place themselves in communication with the persons against whom charges were made, to furnish them with the evidence given against them, and as soon as the evidence against them was concluded gave them the earliest opportunity of coming forward to repudiate the charges which had been made against them. He had great confidence in the tribunal of public opinion, and he did not believe that charges, if refuted, would do any permanent injury to the character of the person against whom they were made. On the contrary, great sympathy would be excited for such person. Similar things occurred in Courts of Justice. Charges were made and circulated and remained unrefuted for some time; but by-and-bye the turn of the party attacked arrived, and the verdict justified him and dispelled the charges. No doubt, great inconvenience was often caused by the publication of partial Reports and by the comments made upon them in the Press and in Parliament. He might, perhaps, be allowed to refer to a matter affecting himself, as it illustrated in a striking way the inconvenience attending the present practice of publication. An hon. Member in "another place" had lately referred to a Report of the proceedings before one of their Lordships' Committees, and had characterized the course taken by him in cross-examining a witness as "one of the meanest and shabbiest tricks ever played." He thought that if the whole of the evidence, and not part of it only, had been put before the hon. Member he would have taken a very different view. The witness in question was introduced to the Committee by a gentleman who took the greatest interest in the inquiry, and who challenged anyone to show that he had brought forward witnesses of blemished character. The question which he put to the witness was—"Were you not reduced to the ranks by court martial on one occasion?" and the reply was—Yes; for not obeying orders and telling a falsehood." He thought that he was acting well within his right in challenging the credit of the witness, and he was confirmed in his belief that the course which he took was not wrong by the fact that actions for perjury against witnesses who had been brought in the same way before the Committee were contemplated. It was not a satisfactory practice that reference should be made in one House to proceedings before a Committee of the other House, those who were concerned not having the power of immediate reply. Some people thought, perhaps, that it would be well to lay down the rule that all Committees should hear evidence with closed doors. That would be a course which he could not favour, because the publicity given to evidence was likely to result in this and other cases in a considerable amelioration of the condition of the persons whose unfortunate lot was the subject of inquiry; and, therefore, however great might be the inconvenience to Members of their Lordships' House of this practice of partial publication, it must, he thought, be suffered. He trusted that Select Committees would never consent to take personal evidence without affording the fullest opportunity to those who were attacked to reply.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK) said, he thought that Committees ought to be very cautious about hearing evidence which impugned a person's character. Where such evidence was given incidentally the person concerned ought to be apprised of the fact without a moment's delay. He did not quite agree that the case was like an action or proceeding in a Court of Law, where, if evidence was given impugning a man's character, the witness could be cross-examined at once, and the issue could be dealt with there and then. But in Committees, when damaging evidence was given incidentally, the same prompt steps could not be taken, and, therefore, it was the duty of a Committee to restrain a witness who proposed to tender such evidence. The advantage of sitting with open doors was that evi-

dence affecting a man's character could be published in the Press, and the man was thus made aware of the attack made upon him. If Committees sat with closed doors great injustice might be done to persons placed in the unfortunate position to which he was alluding.

SUFFRAGANS' NOMINATION BILL.

(*The Lord Chancellor.*)

(NO. 176.) SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR (Lord HALSBURY), in moving that the Bill be now read a second time, said, that its object was to remedy certain defects in a previous measure on the same subject.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

COMPANIES CLAUSES CONSOLIDATION ACT (1845) AMENDMENT BILL.

(*The Earl of Rosebery.*)

(NO. 170.) SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF ROSEBERY, in moving that the Bill be now read a second time, said, that its object was to enable provident and industrial societies having investments in Companies' funds to be represented on the Boards of those Companies by such of their members as were not ordinary shareholders. The measure had passed through the other House.

Moved, "That the Bill be now read 2ª."—(*The Earl of Rosebery.*)

Motion *agreed to;* Bill read 2ª accordingly.

HIGH COURTS IN INDIA BILL [H.L.]

A Bill to constitute and also to extend the jurisdiction of High Courts of Judicature in India—Was *presented* by The Viscount Cross; read 1ª, (No. 184.)

House adjourned at a quarter past Five o'clock, to Thursday next, a quarter past Ten o'clock.

Viscount Cranbrook

HOUSE OF COMMONS,

Tuesday, 26th June, 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—Augmentation of Benefices Act Amendment * [308].

Third Reading—Consolidated Fund (No. 2), *debate adjourned.*

PROVISIONAL ORDER BILLS—*Second Reading*—Local Government (Ireland) (Ballymoney, &c.) * [302].

Third Reading—Drainage and Improvement of Lands (Ireland) * [277]; Gas (No. 1) * [244]; Local Government (No. 6) * [266]; Local Government (No. 9) * [274]; Local Government (No. 12) * [284], and *passed.*

QUESTIONS.

MUNICIPAL BOROUGHS (IRELAND)—THE BALLINASLOE AGRICULTURAL HALL.

MR. HARRIS (Galway, E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the Ballinasloe Agricultural Hall, a building erected for public purposes and in part by public money, is at present let at an annual rent of less than £40, which if capitalized at 10 years' purchase would amount to £400; whereas a Town Hall of like proportions and suitability cannot be built for less than £3,000; and, under these circumstances, would the Government suggest some means by which the present Hall could be transferred on equitable terms from Lord Clancarty to the Town Board, and by so doing save the town of Ballinasloe this unnecessary expenditure of a large amount of public money?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: The Town Clerk of Ballinasloe states that the Agricultural Hall was erected by means of money raised by the issue of shares, which he believed were bought up by the late Lord Clancarty. He also states that the Hall is let to a tenant for £30 a-year. The Local Government Board cannot say what the cost of a Town Hall of like proportions and suitability would amount to. They have no statutory power to interfere between the Commissioners and the owner of the Agricultural Hall in the manner suggested, that being a matter of private agreement altogether.

As already stated, they will give attention to any application made to them by the Town Commissioners to sanction a loan to provide a building.

MR. HARRIS asked, again, if the Local Government Board would have no power to take over this Hall?

MR. MADDEN: No; that would be a matter of private agreement.

HOUSE OF COMMONS—VENTILATION OF THE LADIES' GALLERY.

MR. WEBSTER (St. Pancras, E.) asked the First Commissioner of Works, Whether it has come to his knowledge that the ventilation of the Ladies' Gallery of this House is defective; whether the present grill in front of that Gallery is so constructed as to render it difficult for those sitting in the second and third rows to either see or hear; and, if he proposes to have that Gallery further ventilated, and to substitute for the present grill one of a less obstructive character?

THE FIRST COMMISSIONER (MR. PLUNKET) (Dublin University), in reply, said, he was informed that some years ago there were frequent remonstrances on account of the inadequate ventilation of the Ladies' Gallery, and that it was then enlarged and completely remodelled, and that a considerable amount of the ornamental grill was removed; and he was told that since then there had been comparatively few complaints upon the subject. As to seeing and hearing what was going on in the House, the ladies on the back Benches had not as good opportunities as those in front; but he did not think that this disadvantage was caused by the grill, nor did he think it would be possible to mend the matter much in that way, except by removing the grill altogether, and, so far as he could ascertain, that alternative would not be generally popular.

WAR OFFICE—EMPLOYMENT OF RETIRED MEDICAL OFFICERS.

DR. TANNER (Cork, Co., Mid) asked the Secretary of State for War, What number of retired medical officers are now re-employed; what additional number it is proposed to re-employ; and, whether, subject to good behaviour, such officers, when re-employed, have claim to serve till 65 years of age, the limit of age fixed by Regulation?

THE SECRETARY OF STATE (MR. E. STANHOPE) (Lincolnshire, Horncastle): Forty-six retired medical officers are at present employed. The question of extending the system of re-employment is at present under consideration. Such officers are re-appointed for five years, and if they continue to be required and are still efficient the term may be extended till they reach the age of 65 years.

NATIONAL EDUCATION (IRELAND)—NATIONAL SCHOOL TEACHERS—EXAMINATION OF CANDIDATES.

MR. P. M'DONALD (Sligo, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether candidates for first division of first-class of National teachers, Ireland, will be examined next July on a special set of questions; and, if so, what percentage of answering will be required; and, whether any credit will be given for length of efficient service further than is obtained from being admitted to the examination?

THE SOLICITOR GENERAL FOR IRELAND (Mr MADDEN) (Dublin University) (who replied) said: Sir, the Commissioners of National Education state that the reply to the first inquiry is in the affirmative. An answering of 65 per cent, which is the same as last year, will be required. In answer to the second paragraph, I am informed that no credit will be given other than is obtained from being admitted to the examination.

TURKEY (ASIATIC PROVINCES)—ARMENIA—ARRESTS.

MR. BRYCE (Aberdeen, S.) asked the Under Secretary of State for Foreign Affairs, Whether the attention of Her Majesty's Government has been called to the arrest more than two months ago on some supposed political ground of a number of Armenians in Constantinople, several of whom are teachers in schools supported by the Armenian community; whether these persons were detained in prison for some weeks, no formal charge having been brought against them; whether they have now, having never been tried nor afforded an opportunity of proving their innocence, been shipped off to Tripoli, where they are at present

kept in banishment; and, whether Her Majesty's Government, considering not only the violations of justice involved in such arbitrary imprisonment, but also the irritation which such proceedings produce in the minds of the Armenian subjects of the Sultan, and the consequent dangers to the peace of Asiatic Turkey, will endeavour to obtain either the release of these persons and permission for them to return to their homes, or at least a fair and open trial for them?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) Manchester, N.E.): Our information is necessarily imperfect on these matters; but suspicions of treasonable practices have, rightly or wrongly, been entertained by the Imperial Ottoman Government, and there have, consequently, been arrests. Her Majesty's Government will do their utmost to assist any persons who may have been arrested without cause or wrongly punished whenever they are able to ascertain that that such wrongs have been inflicted. But the mode of representing any such case to the Government must be left to the judgment of Her Majesty's Representatives on the spot, and be regulated by diplomatic usage.

MR. BRYCE asked the right hon. Gentleman, whether the Government would make inquiries in order to ascertain whether this was a particular case for interference by representation?

SIR JAMES FERGUSSON: I have no doubt Her Majesty's Ambassador will endeavour, as far as possible, to make himself acquainted with the circumstances.

ROYAL IRISH CONSTABULARY — INSTRUCTIONS AS TO THE ADMISSION OF THE PUBLIC TO COURT-HOUSES.

MR. FLYNN (Cork, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If any instructions have recently been issued to the Irish Constabulary limiting or interfering with the ordinary right of the general public to admission into public Court-houses in Ireland within the limits of reasonable accommodation; whether he is aware that within the past nine months the Constabulary have frequently debarred the public from enjoying this right of access; if he is aware that, at a public trial on Wednesday, the 20th instant, at Liscarroll, County Cork, a respectable trader of Kanturk, Mr. Thomas Linehan, and several other parties, were denied admission to the Court, which was at the time not half filled; and, in venturing to assert his right to admission, Mr. Linehan was assaulted by a constable to the knowledge of a District Inspector; and, if he will give directions to the Police Authorities as to their duty in this matter?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: Sir, the Inspector General of Constabulary reports that no instructions of the kind referred to have been issued. In the particular case mentioned the County Inspector reports that the police are ordered not to allow the Court to be overcrowded. Orders, however, were given that the friends of the defendants should be admitted. He also ordered that Mr. Linehan should be admitted; but every seat was then occupied. Mr. Linehan afterwards complained to the County Inspector that he had been assaulted by a constable. It is not the case that the alleged assault was committed to the knowledge of the District Inspector; on the contrary, none of the officers present on duty witnessed it.

MR. FLYNN asked, if the hon. and learned Gentleman was aware that Mr. Linehan had asked the County Inspector to give him the name of the constable, whom he pointed out as having assaulted him, and that it was refused; and, if not, would the hon. and learned Gentleman make further inquiries into the matter?

MR. MADDEN replied that as to the specific matter alleged he had no information; but if the hon. Gentleman required him to supplement the information he should put a Question on the Paper.

THE MAGISTRACY (IRELAND)—COMPLAINT AGAINST RESIDENT MAGISTRATES.

MR. FLYNN (Cork, N.) asked Mr. Solicitor General for Ireland, in reference to the duty devolving on Resident Magistrates in Ireland, under the Criminal Law and Procedure (Ireland) Act, 1887, of stating a case for the Superior Courts where the application

of the defendant or his legal adviser is not a frivolous one, Whether he has any knowledge of the case of Mr. Patrick Corcoran, foreman printer to *The Cork Examiner*, who was tried on January 9 last by Messrs. Gardiner and Redmond, and sentenced to two months' imprisonment, being two terms of one month each; whether he is aware that the magistrates refused to increase the sentence to allow of appeal or to state a case for the Superior Courts, though application was made by the defendant's counsel, Mr. Gardiner saying, in reply to the said counsel, that—

"They were not disposed to state a case for the Superior Court, for the simple reason that if they thought the case was a frivolous one they would have stated so at once;"

if he is aware that the counsel thereupon retired from the case, and declined to defend his client upon the second charge; and, if, in view of these facts, he will make inquiry into the fitness of these two Resident Magistrates to adjudicate in cases under the Criminal Law and Procedure (Ireland) Act?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): It appears that Patrick Corcoran was tried on the 9th of January last, before Messrs. Gardiner and Redmond, upon two separate and distinct charges, and was sentenced to a term of imprisonment of one month on each of the charges. An application was made to the magistrates to increase the sentence, which they refused, being of opinion that the sentence imposed by them was the proper one. An application to state a case was refused, not on the ground stated in the Question, but on the ground that the application was frivolous. It appears from the Report before me that the counsel for the accused left the Court before the second charge was proceeded with. I see no necessity for making any inquiry.

MR. MAC NEILL (Donegal, S.): Are not Messrs. Gardiner and Redmond the same magistrates who tried the Killeagh prisoners, and are they not both ex-policemen?

MR. MADDEN: They are the same magistrates.

MR. MAC NEILL: Are they not both ex-policemen?

MR. MADDEN: I am not prepared to state that myself; but the information will appear on the Return which has been furnished to the House.

POST OFFICE (IRELAND) — FEMALE TELEGRAPH LEARNERS, DUBLIN—EXAMINATION.

MR. W. O'BRIEN (Cork Co., N.E.) asked the Postmaster General, How long ago the last examination for female telegraph learners in Dublin was held, and how soon the next will be held; and, whether there is any foundation for the impression that the system of competitive examination by which these offices are distributed in England and Scotland has been, or will be, dispensed with in Ireland?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): The last open competition for the situation of female telegraph learners in Dublin was held on March 4, 1885. Since that date vacancies have been filled by transfer from Provincial offices in Ireland, and there are still a small number of applicants for such transfer whose claims have to be considered; but, subject to such occasional exceptions, it is proposed to adhere to the rule to appoint by open competition.

RIOTS, &c. (IRELAND)—THE AFFRAY AT MITCHELSTOWN IN SEPTEMBER LAST—COMPENSATION TO A POLICEMAN.

MR. W. O'BRIEN (Cork Co., N.E.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that in the attempt to collect the £1,000 ordered to be levied off the barony of Condons and Clongibbon as compensation to the policeman injured on the occasion of the fusillade at Mitchelstown, the Sheriff's bailiff seized a mare and foal valued at £30, the property of a small farmer named Kenealy, at Araglin, to satisfy a claim for 18*s.* county cess with £1 costs, and that, although a jennet valued at £10 was proffered in satisfaction of tho claim, the bailiff insisted on driving the mare and foal a distance of seven miles to Fermoy, and sold them there; and, whether, in the event of legal proceedings being taken by the owner for excessive and vindictive seizure, the Government will interfere?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: The Government have no knowledge as to the matters of fact referred to in this Question, county cess not being an Imperial charge over which they have control. Nor would they have any title to interfere in the circumstances referred to in the concluding portion of the Question.

MR. W. O'BRIEN: Will the hon. and learned Gentleman give an undertaking that the Government will not protect these bailiffs for any illegal seizures they may make; and that the British taxpayer will not eventually have to pay this compensation?

MR. MADDEN said, he could give no undertaking of the kind.

MR. T. M. HEALY (Longford, N.): Will the hon. and learned Gentleman say, as a matter of fact, that the bailiffs will not be defended by the Government in any legal proceedings that may arise?

MR. MADDEN: Each case will be considered on its merits as it arises.

MR. W. O'BRIEN: Is it not the fact that the Government have defended and paid the law expenses of bailiffs and police who have acted illegally?

MR. MADDEN: I am not aware that any illegality has arisen in this matter, and each case as it arises will be considered.

ARMY (IRELAND)—AUXILIARY FORCES —SLIGO ARTILLERY MILITIA— EQUIPMENTS.

MR. P. M'DONALD (Sligo, N.) asked the Secretary of State for War, If the following report in *The Irish Times* of June 18, from its military correspondent, is a correct description of the equipment of the "Duke of Connaught's Own Sligo Artillery Militia":—

"All the arms, knapsacks, and great coats of the gunners were obsolete, the two latter simply rotten and quite unserviceable, whilst the carbines of the oldest pattern were many grooveless and all unbrowned. Even on parade, it was stated, some knapsacks in the Brigade (issued before the Crimean War to the then Sligo Rifles) fell off, so rotten were straps, buckles, and canvas. The great coats, also relics of ante-Crimean days (1852 their date), literally honeycombed with moths, of unpleasant odour, of many patterns, with capes and without them, and nearly all unable, apparently, to retain even the weight of a button, so many were deficient of these necessary connecting links, were totally unfit for issue, and should have been condemned years ago,'

and, if so, whether he will take immediate steps to give this regiment a proper equipment?

COLONEL WARING (Down, N.) asked whether, in view of the unsatisfactory state of Militia equipment and organization generally, and the suggestions which were put before the War Office Committee, the right hon. Gentleman would consider the advisability of collecting more evidence from officers of experience in the force?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I should like to have Notice of the latter Question. As my hon. and gallant Friend is aware, the calling of evidence before that Committee is not within my control. As to the Question on the Paper, I have received Reports from the officer commanding the Brigade and from the Inspecting Officer of Royal Artillery. One hundred and forty-eight of the great-coats are old, though not so old as stated in the Question; and they have not yet been used for the regulated number of trainings, and can be made use of. The great-coats at present in use are of the Rifle pattern; but I will consider whether Artillery great-coats might not be issued. The arms are in serviceable condition; they are browned every six years; and this happens to be the year for browning after the training.

INLAND REVENUE (IRELAND)—PUBLICANS' LICENCES—ENNIS QUARTER SESSIONS.

MR. P. M'DONALD (Sligo, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Philip Maguire, a publican in Miltown Malbay, applied a second time for a licence for premises built by himself at Lahinch, and was refused, at the Ennis Quarter Sessions now sitting, being opposed by Captain Walsh and Mr. Cecil Roche, Resident Magistrates, on the ground that he, with others, conspired to refuse refreshments to the police; and, whether, on the occasion, Captain Walsh stated that the licences of all the Miltown Malbay publicans would be opposed at the next Sessions?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: It is the case

that Philip Maguire applied three times unsuccessfully for a licence for the premises mentioned in the Question at three successive Quarter Sessions at Ennis. At the recent Ennis Quarter Sessions eight magistrates, including the Chairman, decided that the application should not be entertained until the Licensing Sessions in October. I have no information as to the ground on which their decision was based. It is the fact that the Resident Magistrates mentioned in the Question stated that the police would oppose the renewal of licences held by any publicans who were proved to have joined a Boycotting conspiracy existing in the district referred to.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL—CLAUSE 120, SUB-SECTION 2—MAIN ROADS (METROPOLIS).

MR. CREMER (Shoreditch, Haggerston) asked the President of the Local Government Board, Whether it is intended that Paragraph ii, Sub-section 2, of Clause 120 of the Local Government Bill shall apply to the Metropolis; if so, whether the main roads referred to therein are only those roads which were disturnpiked between the years 1870 and 1878, and what compensatory allowance, if any, will in that case be made to those districts of the Metropolis in which such "main roads" do not exist?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): It is intended that during the current financial year payment shall be made to the Vestries and District Boards in the Metropolis as heretofore in respect of roads disturnpiked since 1870. It is also intended that the Vestries and District Boards of the parishes and districts in the Metropolis in which there are no such roads should receive a share of the balance referred to in Paragraph 4 of Sub-section 2 of Clause 120 of the Local Government Bill. The clause of the Bill with reference to the provisional arrangement as to the grant in respect of roads in the Metropolis for the current year may require some slight modification to show more clearly what is contemplated, and this will receive attention when the clause is reached.

WAR OFFICE (CONTRACTS)—ARMY ACCOUTREMENTS.

MR. CREMER (Shoreditch, Haggerston) asked the Secretary of State for War, Whether any order has been recently given for Slade Wallis accoutrements; and, if so, to whom the order was given, and what quantity was ordered; whether the order, although given to Captain Slade Wallis, was executed by Alexander Ross and Company, of Grange Road, Bermondsey, who, in March last, were struck off the list of Army contractors; and, whether 600 sets of such accoutrements are to be delivered at Woolwich during the present week?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): Six hundred pouches of this pattern were ordered from Messrs. Ross and Company before that firm was struck off the list of contractors. Another order has been given to Colonel Slade Wallis, who is responsible that the supplies are equal to pattern. I have no knowledge whence he obtains his materials.

MR. HANBURY (Preston) asked, whether the War Office admitted the right of one contractor to hand over the work to be performed by another?

MR. E. STANHOPE said, the Government did all in their power to deal directly with the contractor; but they could not always be certain as to who made the articles.

MR. CREMER asked, if the Department would receive evidence on this subject?

MR. E. STANHOPE said, he would be glad to consider any evidence that might be submitted to him.

LITERATURE, SCIENCE, AND ART—THE ROYAL NORMAL SCHOOL OF SCIENCE—THE PHYSICAL LABORATORY.

SIR HENRY ROSCOE (Manchester, S.) asked the First Commissioner of Works, Whether he is able to state that steps have been taken to make provision for the temporary accommodation for the Physical Laboratory at the Royal Normal School of Science, imperatively demanded by the requisition of the site of the present building by the authorities of the Imperial Institute?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): After consultation with the Treasury and the Science and Art Department it has been agreed to provide accommodation for the Physical Laboratory. A large room will be erected for this purpose on the

ground now in the possession of the Government to the north side of the corridor leading from Exhibition Road to the Science Galleries.

IMPERIAL DEFENCES—BERMUDA—CABLE COMMUNICATION.

SIR EDWARD WATKIN (Hythe) asked the Secretary of State for War, Whether, as the Imperial fortress in the Mid-Atlantic, Bermuda, remains still without cable communication with the rest of Her Majesty's Dominions, he has considered that, in case of unexpected war, the Governor of Bermuda would be without information of a sudden attack; and, whether, considering that the cost of a cable between Bermuda and Halifax would be comparatively trifling, and might be recouped by the commercial messages of traders and others having business with the Island, he will take the necessary steps to lay the cable?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University) (who replied) said: I invited, and on the 30th of April received, tenders for the laying, working, and maintenance of a cable between Halifax and Bermuda. These tenders are now under the consideration of the Government.

SIR EDWARD WATKIN: This is a great question of national defence. Could not the work be pushed on in a business-like way?

MR. RAIKES: The work will be pushed on when the Government has approved of the tender.

COMMISSIONERS OF IRISH LIGHTS—TORY ISLAND LIGHTHOUSE—TELEGRAPHIC COMMUNICATION WITH THE MAINLAND.

SIR EDWARD WATKIN (Hythe) asked the Secretary to the Admiralty, What further steps, if any, have been taken in the protection of life and property to connect the improved lighthouses on Tory Island by electric cable with the mainland?

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS-BEACH) (Bristol, W.) (who replied) said, he had reason to know that Lloyds' were in communication with the Postmaster General on the subject of telegraphic communication with Tory Island, and added that Lloyds' Signal Station Bill was still before Parliament.

EXCISE DUTIES (LOCAL PURPOSES) BILL—THE VAN AND WHEEL TAX.

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe) asked the President of the Local Government Board, What is the total amount which it is estimated will be received in England and Wales, and in Lancashire (including the county boroughs), from the Van and Wheel Tax; and, whether statistics on this subject will be distributed to Members before the House is called upon to discuss in Committee the clauses of the Local Government Bill relating to main roads?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The total amount which it is estimated will be raised in England and Wales from the Van and Wheel Tax is £168,000, and from the Horse Tax £540,000, or £700,000 in all. No accurate estimate can be given of the yield of the tax in Lancashire or any other county taken by itself.

PUBLIC OFFICES—THE RECEIVER AND ACCOUNTANT GENERAL'S OFFICE—ANNUAL LEAVE.

MR. PICKERSGILL (Bethnal Green, S.W.) asked the Postmaster General, What period of annual leave is authorized by the Treasury for the clerks in the Receiver and Accountant General's Office?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): In reply to the hon. Member's Question, I have to state that the period of leave enjoyed by the clerks in the Receiver and Accountant General's Office is one month in the course of the year. In this privilege hitherto a share has not been granted to five officers who, though called clerks, have never been employed on clerical duties. But as I am unwilling to perpetuate what may be thought an invidious distinction, I have directed that, in future, the same privilege shall be extended to these officers.

LUNACY ACTS—COLNEY HATCH ASYLUM—TREATMENT OF INMATES.

MR. W. REDMOND (Fermanagh, N.) asked the Secretary of State for the

Home Department, Whether his attention has been called to the following facts in regard to the treatment of a man in Colney Hatch Asylum:—

"John Stickley, an old man of 68, was removed to the asylum last Saturday from Hammersmith Police Court. He was then in a feeble condition and perfectly quiet. On Monday his friends were informed that he was seriously ill, and on Tuesday he was dead. At the time of his death he had a broken jaw and had lost a tooth, and the jury find that his death was accelerated by these injuries;"

whether there is any evidence to prove whether the injuries were caused after the man entered the asylum; and, whether the Government will order an inquiry into the whole matter?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): The facts are stated with substantial accuracy in the hon. Member's Question. The jury found that Stickley's injuries were received after he entered the asylum. The Lunacy Commissioners inform me that the Committee of Visitors of the Colney Hatch Asylum have intimated to them their intention to hold a searching inquiry into all the circumstances attending the death of this patient. The inquiry is to begin on Friday, and the Commissioners have requested to be at once informed of the result.

ARMY—PRELIMINARY EXAMINATIONS —ERRORS IN EXAMINATION PAPERS.

COLONEL DUNCAN (Finsbury, Holborn) asked the Secretary to the Treasury, Whether it is a fact that, at the recent Army preliminary examination held on the 13th and 14th of June, there was an error in the 17th question in the arithmetic paper, inasmuch as one number was written with two decimal points (·13·56 grains); that in the examination for admission to the Royal Military Academy, Woolwich, held on the 20th of June and the following days, there were two mistakes in the algebra paper, inasmuch as in Question 8

$$(4+\sqrt{15})^{\frac{3}{2}} + (4+\sqrt{15})^{\frac{3}{2}}$$

was inserted instead of

$$(4+\sqrt{15})^{\frac{3}{2}} + (4-\sqrt{15})^{\frac{3}{2}}$$

as it should probably have been written; and in Question 12: "Is the sum of the first r co-efficients in the expansion of $(1-x)-u$, &c." instead of "Is the co-efficient of xr in the expansion of $(1-x)-u$, &c.;" that the supply of papers in the trigonometry examination was insufficient to accommodate the number of candidates who presented themselves, in consequence of which some papers had to be torn in half, so that while some candidates had the opportunity of seeing at the same time all the questions proposed, others had not the same advantage; and, whether the Civil Service Commissioners will take these irregularities into due consideration before publishing the results of those examinations, and will take steps to prevent their recurrence in future?

THE SECRETARY (Mr. JACKSON) (Leeds, N.): With regard to the double decimal point, the error arose in striking off copies, the proof having been correct. No candidate would suffer, at it was immaterial which point was taken, and either answer would be accepted as correct. As regards the Woolwich paper, Question 8 as printed was unobjectionable, and those who worked it correctly obtained full marks, while those who assumed it to be misprinted and worked it correctly on that assumption also obtained full marks. There was practically no difference or difficulty between the two forms of the question. There was no mistake in Question 12, which was perfectly correct as it originally stood; but notice was given in the examination room before the candidates began to work the paper of a slight alteration introduced in the interest of the candidates to make it easier. As regards the deficiency in the number of examination papers, only six candidates were affected. A slight allowance of time was offered them in compensation, of which, however, only three availed themselves. I need only add that I am sorry that mistakes of this kind have arisen, because this is twice within a week that I have had to answer Questions of this kind. I have requested that greater care shall be taken in future.

THE MAGISTRACY (IRELAND)—RESIDENT MAGISTRATES — APPOINTMENTS.

MR. T. M. HEALY (Longford, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, How many Resident Magistrates have been appointed

since the present Government took Office?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: Ten Resident Magistrates have been appointed since the present Government succeeded to Office.

MR. T. M. HEALY: Will the hon. and learned Gentleman say how the hon. Member for South Tyrone (Mr. T. W. Russell) came to say last evening that there were only three?

MR. SPEAKER: Order, order!

ULSTER CANAL AND TYRONE NAVIGATION BILL.

MR. T. M. HEALY (Longford, N.) asked the Secretary to the Treasury, When the Ulster Canal Bill, as revised by the Select Committee, will be taken on the Report stage; are the Government in charge of the Bill; if not, who is; and, what opportunity will be given for preparing and discussing Amendments to it?

THE SECRETARY (Mr. JACKSON) (Leeds, N.) in reply, said, he believed it was proposed to take the Bill. He thought it would be unusual to give any opportunities for discussing Amendments beyond those that usually occur.

MR. T. M. HEALY: I intend to put down a great number of Amendments; and as there will be a Morning Sitting on Friday for the Local Government Bill, that would be an inconvenient time. Perhaps the hon. Gentleman would prevail on the promotors to postpone the Bill to next week?

MR. JACKSON suggested that the Amendments should be put down immediately.

PARLIAMENTARY ELECTIONS—PARTY AGENTS—ELIGIBILITY OF CLERKS OF THE PEACE OR COUNTY TREASURERS.

MR. P. STANHOPE (Wednesbury) asked the Secretary of State for the Home Department, Whether Clerks of the Peace or County Treasurers, being public servants, are entitled to act as party agents in the Revision Courts or as candidates' agents at Parliamentary elections?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am not aware of any statutory provision or rule of law which would prevent a Clerk of the Peace or a County Treasurer from acting as an election agent. The Clerk of the Peace, however, being charged with certain important functions in connection with the registration of voters, could not properly, in my opinion, act in any way as an agent in the Revision Courts.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—JUDGMENTS IN THE KILLEAGH CASE—SHORTHAND WRITER'S NOTES.

MR. T. M. HEALY (Longford, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can state the reason why the Government have refused to lay upon the Table a Copy of the shorthand writer's notes of the Judgment of the Court of Exchequer in the Killeagh habeas corpus cases, seeing that a copy of the Chief Baron's address to the jury in "Blunt *v.* Balfour" has been laid upon the Table; whether the Government will reconsider, in the light of the Killeagh decision, the cases of such prisoners as the Milltown Malbay men, whose sentences for refusal to supply goods have been confirmed on appeal, and who are, therefore, deprived of further legal remedy; would it be possible, under the County Courts Acts, for Rules to be framed by the County Court Judges, so that the convictions they affirm under the Criminal Law and Procedure Act should in all cases refer to the evidence on which the convictions were grounded, so that it may be possible for prisoners under sentence after appeal to test the legality of their imprisonment by habeas corpus; will any steps be taken in fulfilment of the pledge of the right hon. Gentleman, last year reported in *Hansard*, vol. 315, p. 284, as follows:—

> "There will be an appeal in every case to a County Court Judge, and if, on legal technicalities, the County Court Judge is objected to, the Government will be prepared to consider a plan for giving an appeal in cases in which a legal difficulty may be involved to a still higher tribunal;"

and, if he can state how many persons are still confined under sentences confirmed on appeal for conspiracy to compel and induce others to do or abstain from doing certain acts?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: It would be obviously neither possible nor expedient to lay on the Table copies of the Judgments in all the cases which come before the Courts under the Act of last year. There is an obvious distinction between the Charge of the Chief Baron in the case of "Blunt *v.* Byrne," which has general application to the combination known as the Plan of Campaign, and the Judgments in the Killeagh *habeas corpus* case, which—except so far as they dealt with legal questions of *habeas corpus* and *certiorari*—were only applicable to the particular parts of the case before the Court. In answer to the second paragraph, I have to say that the decision in the Killeagh cases does not affect the cases of the prisoners referred to in the Question. The facts of the cases were entirely different, and the prisoners have availed themselves of the right of appeal. It would not be within the power of the Court and Judges to adopt the course suggested in the third paragraph. The matter referred to in the first paragraph has already been dealt with by the right hon. Gentleman when this Question appeared first on the Paper. There are at present, so far as can be ascertained from the records at head quarters, 10 persons confined under sentence for conspiracy confirmed on appeal. There are also four persons confined for inciting to conspiracy.

MR. T. M. HEALY: I wish to ask the hon. and learned Gentleman by whose desire the Paper was laid on the Table of the House of Commons containing the Judgment of the Lord Chief Baron in "Blunt *v.* Byrne;" and I wish to ask him was it not a decision at *Nisi Prius* binding practically on nobody; and was not that decision in the case of the Killeagh prisoners a decision in the Court of Exchequer, final so far as they were concerned, and so far as any Court was concerned; and why a decision that was binding on nobody was laid on the Table of the House, while the Government refuse to give us an authoritative decision in regard to a very great matter of public interest?

MR. MADDEN said, that if the Judge's Charge in "Blunt *v.* Byrne" was binding on no one, he could only express his astonishment that it was moved for by an hon. Member on the opposite side of the House.

MR. T. M. HEALY: I should have said binding on any Court.

SIR WILLIAM HARCOURT (Derby): The Solicitor General is not asked a Question as to why the Judgment in "Blunt *v.* Byrne" was laid on the Table of the House, but he is asked why the Judgment in the Killeagh case is refused?

MR. MADDEN said, in his previous answer he stated distinctly that in the Charge of the Chief Baron, the general combination known as the Plan of Campaign was dealt with, and that was a subject of the greatest public importance; whereas in the Killeagh cases the judgments so far as they went outside the legal questions of *habeas corpus* and *certiorari*—[MR. T. M. HEALY: Oh!]—were only applicable to the facts of the particular case before the Court.

SIR WILLIAM HARCOURT asked, did not the Killeagh cases deal with the questions of exclusive dealing, and the principles applicable to that case and the evidence proper to support it?

MR. MADDEN said, no general principles were laid down; and the judgments were easily accessible to the public, for they were fully reported in the public Press; and they did not deal with the conspiracy known as Boycotting in the sense in which the Judgment in "Blunt *v.* Byrne" dealt with the combination known as the Plan of Campaign.

MR. ANDERSON (Elgin and Nairn) asked, did not the Judgment in the Killeagh cases lay down what were the proper rules to be observed in charges of conspiracy and exclusive dealing under the Crimes Act; and whether, under those circumstances, the Government did not think it important to make public the solemn decision of the Court of Exchequer?

MR. MADDEN: No, Sir. It lays down no general rules on that branch of the case; it simply deals with——

MR. T. M. HEALY: I wish to ask the hon. and learned Gentleman if he will tell the House what is the objection to lay the notes upon the Table; and I wish to ask him whether at the public expense, because the views of the Government were in harmony with the decision in "Blunt *v.* Balfour," the notes of the Judgment were laid on the

Table, and why he objects to follow the same course in the Killeagh case, which was no more amply reported in the newspapers than was the Blunt and Balfour case; and if the hon. and learned Gentleman refuses to lay the Judgment on the Table will he at least lay the portion of the Judgment dealing with the question of conspiracy and exclusive dealing?

MR. MADDEN said, the objection was the obvious one, that all Judgments could not be laid on the Table of the House; that some discrimination must be observed as to what Judgment should be laid upon the Table. It would be impossible to lay on the Table Reports of all the Judgments. Some rule must be laid down. [Mr. T. M. HEALY: What rule?] The rule was that a Judgment dealing with certain principles, such as that he had stated, might fairly be laid upon the Table; while a Judgment dealing with the facts of a particular case might fairly be refused to be laid on the Table.

MR. JOHN MORLEY (Newcastle-upon-Tyne): Will the hon. and learned Gentleman be kind enough to lay upon the Table of the House this Judgment, upon which we may fairly base our decision when we come to vote the salaries of Resident Magistrates?

[No reply.]

MR. SPEAKER called upon Mr. J. M. Maclean to ask the next Question.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) rose.

MR. SPEAKER: Order, order!

MR. SEXTON: I wish to ask you, Sir, whether the Judgment in this Killeagh case was directly quoted by the Chancellor of the Exchequer and the Solicitor General and other Members of the Government in the course of the debate last night; and whether, if that is so, they are not bound, for the information of the House, to lay a copy upon the Table?

MR. SPEAKER: That does not come under the Rule; but I suppose that the Judgment will be accessible to hon. Members. [*Cries of* "No!"] Of course, if it were not, and if it were only an official document, and they have quoted from it, they would be bound to lay a copy upon the Table.

MR. SEXTON: I beg to give Notice that I shall move for the production of the documents quoted by the Government last night in the debate.

Subsequently,

MR. SEXTON asked the First Lord of the Treasury, Whether, in view of the expression of opinion which had been given from the Chair, the Government would, without formal Motion, lay on the Table the Judgments in the Killeagh case?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I think the hon. Gentleman had better put his Notice of Motion on the Paper, and then the Government will decide as to the course they ought to take.

EAST INDIA (MR. W. TAYLER, OF PATNA).

MR. J. M. MACLEAN (Oldham) asked the Under Secretary of State for India, If he is aware that after Mr. Tayler, ex-Commissioner of Patna, had declined the inquiry offered him into his judicial conduct at Patna, Lord Canning nevertheless insisted, in the interest of public justice, that an inquiry should be held into certain cases connected with the Patna riots, and called upon the Sudder Court of Bengal to revise the sentences passed by Mr. Tayler on persons who still remained alive, in order to remedy substantial injustice where such should appear to have been committed; that the Sudder Court accordingly, on June 29, 1859, forwarded to the Government of Bengal a Judgment which the Court had recorded after an examination of the papers; and, whether a copy of the judicial record of proceedings in this case can be laid upon the Table of the House, along with the Correspondence moved for yesterday by the hon. Member for North Kensington (Sir Roper Lethbridge)?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): My attention has been called to a letter from the Registrar of the Sudder Court to the Government of Bengal of the 29th of June, 1859, forwarding a Judgment of that Court on the cases of 21 persons then alive who had been tried and convicted by Mr. William Tayler for complicity in the Patna riots of the 3rd of July, 1857. After carefully going through the records of the trials, the Court thought the evidence altogether insufficient to sustain the conviction of

18 of the prisoners. In another case the Court thought the evidence unsatisfactory, and recommended that his sentence should be remitted. In the two remaining cases the conviction was upheld. There is no objection to the production of these documents if the hon. Member will move for them.

THE MAGISTRACY (IRELAND)—MR. CULLEN, DIVISIONAL MAGISTRATE, DUNDALK.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that on Wednesday last, when the people were quietly and peaceably moving from the Dundalk Railway Station, where they had met the hon. Member for East Mayo (Mr. Dillon) and his friends, Mr. Cullen, Divisional Magistrate, ordered the dragoons and constabulary to stop the procession, and thereby caused considerable confusion and disorder during which several persons were thrown down and injured; and, whether Mr. Cullen had received instructions from Dublin Castle to act in this way?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: This Question being put down without Notice, I have not had time to obtain a specific Report as to the proceedings at the period of time to which the Question refers. The Police Reports now available deal with the disturbances which prevailed later in the day.

INLAND FISHERIES (SCOTLAND)—ASSAULT AT ST. BOSWELL'S.

MR. A. L. BROWN (Hawick, &c.) asked the Lord Advocate, Whether it is the case that on May 3, Mr. William Gibbie, skinner, Galashiels, was fishing on the Tweed near St. Boswell's, when Mr. Andrew Goodfellow, gamekeeper to Lord Polwarth, ordered him to desist, and, on his refusing to do so, assaulted him; whether on the same day Gibbie gave information of the assault to Constable Telfer, of Langlee, who reported it to the Fiscal; whether on the same day Goodfellow gave information of assault against Gibbie, and whether the Fiscal at once instituted proceedings against Gibbie, who was tried on May 17 and acquitted; whether on the day of the trial Gibbie made complaint to the Fiscal against Goodfellow, and whether the Fiscal intimated to Gibbie's agent on May 31 that he did not intend to take up his complaint; whether Gibbie and his Friend Thomas Young, who was witness of the assault, have since made affidavit before a Justice of the Peace stating the facts of the case, and forwarded the same to the Lord Advocate, asking him take up the complaint; and, whether he intends to institute proceedings against the gamekeeper for the alleged assault?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): It is the fact that, on the date mentioned, a man, named Gebbie not Gibbie, was fishing in the Tweed near St. Boswell's, at a place where he had no right to fish; and on being requested to desist by the gamekeeper, Andrew Goodfellow, he refused to do so, whereupon a scuffle ensued, in which the gamekeeper was severely injured, a rib being fractured. It is also the case that Gebbie informed Constable Telford of the alleged assault, but no charge was made by him until after he was charged by the police with the assault on Goodfellow, though he passed two police stations on his way; and when lodging his complaint with Telford, he said that Goodfellow had not struck him at all. Goodfellow gave information of the assault upon him immediately after the occurrence, and Gebbie was tried on May 17, but the charge was found "not proven." Although I have no definite information on the points mentioned in the fourth paragraph, I have no reason to doubt their correctness. On May 31 a man named John Johnston, Secretary of the Tweed Fisheries Acts Repeal and Angling Law Reform League, wrote to me enclosing two affidavits. I made full inquiry into the case, and satisfied myself that there was no ground for any prosecution of Goodfellow, and informed Johnston of this decision. The counter-charge was evidently an after-thought. There was no injury done to Gebbie, although he had a trifling scratch on his neck. I do not intend to take any proceedings.

In reply to a further Question by Mr. A. L. BROWN,

MR. J. H. A. MACDONALD said, he thought probably the Procurator Fiscal proceeded on the fact that one man had

broken ribs and one man was not injured.

FINANCE, &c.—SCOTCH CONTIBUTIONS TO THE EXCHEQUER.

MR. MARK STEWART (Kirkcudbright) asked Mr. Chancellor of the Exchequer, with reference to the correspondence between himself and the Secretary for Scotland on Local Taxation (Parliamentary Paper, C. 5418), On what principle does he base his calculations that the share of Scotland is one-third of the whole Probate Duty—namely, £1,420,000, to be devoted to the relief of local taxation, will only amount to £156,000—namely, 11 per cent; what is the proportion per cent, and amount, it is proposed to give to England and Ireland respectively; and, whether the present grant to medical relief and to lunatic poor (seeing there is no mention of these grants in the correspondence) will be continued during the present year as heretofore?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): In reply to the hon. Member's first Question, I can only give him the same answer which I gave to the hon. Baronet the Member for Kirkcaldy (Sir George Campbell) on the 23rd of April last, that the figure of 11 per cent is based upon a very complex calculation, involving the use of several independent sets of figures, the results of one set being checked by those of another. I added that the net result was nearer 10 than 11 per cent, and that I had every reason to believe that the figures I adopted were favourable to Scotland. In reply to his second Question, I have to say that the proportion of Probate Duty to be given to England and Wales is 80 per cent, and to Ireland 9 per cent. The amount of Probate Duty to be given to England and Wales will, on this calculation, be £1,136,000, and to Ireland £127,000, in 1888-9. My answer to his third Question is, Yes.

AFRICA (CENTRAL) — CONSUL JOHNSTON, OF OPOBO.

MR. W. REDMOND (Fermanagh, N.) asked the Under Secretary of State for Foreign Affairs, If it is true that Consul Johnston, of Opobo, is coming to England; and, whether it is true that this Consul has recently concluded Treaties with certain Natives in the interior of Africa without first submitting the terms of the Treaties to the Government at home?

THE UNDER SECRETARY OF STATE (Sir JAMES FERGUSSON) (Manchester, N.E.): Mr. Johnston has arrived in England. He has from time to time concluded Treaties in the interest of British commerce with Native Chiefs under a general authority to do so given to Her Majesty's Consul in 1884, and in a prescribed form, which has been laid before Parliament.

MR. W. REDMOND gave Notice that on the Civil Service Estimates he should move a reduction in Consul Johnston's salary.

LAND LAW (IRELAND) ACT, 1881—CASE OF "OWEN WYNNE, LANDLORD, *v.* JAMES M'KEOWN," MANORHAMILTON.

MR. CONWAY (Leitrim, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the order made by the County Court Judge at Manorhamilton Quarter Sessions on October 18, 1887, in the case of "Owen Wynne, landlord, *v.* James M'Keown," tenant, which is as follows:—

"Order of Court.—If the defendant pays one year's rent on or before 11th November 1887, let him be restored to his holding. I reserve further consideration as to the rest of arrears;"

whether he is aware that James M'Keown has recently suffered 14 days' imprisonment on a charge of forcible entry and detainer of the house from which he had been evicted by the landlord, though he pleaded that he had offered a year's rent to the agent, Mr. George Hewson, in accordance with the terms of the County Court Judge's order; whether Mr. George Hewson denied on oath, at the recent trial of M'Keown, the existence of any such order; whether Mr. George Hewson, both before and after giving evidence against M'Keown, did, as a Justice of the Peace, sit on the Bench with Colonel Turner, R.M., and Mr. Moloney, R.M., participating in the work of the Petty Sessions; whether the Lord Chancellor of Ireland will inquire into the conduct of Mr. George Hewson; and, whether the Government will consider the advisability of making some compensation to Mr. M'Keown for unmerited punishment

and the grave loss sustained by his family?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) detailed the various proceedings in the matter, and said that if Mr. M'Keown felt aggrieved he could bring an action for damages, but the Government had no intention of compensating him.

LAND LAW (IRELAND) ACT, 1881—CASE OF "SARAH MAGUIRE *v.* OWEN WYNNE," MANORHAMILTON.

MR. CONWAY (Leitrim, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, when at the late sitting of the Sub-Commissioners, Mr. E. O. M'Devitt in the chair, at Manorhamilton, County Leitrim, the case of "Sarah Maguire *v.* Owen Wynne" came on for hearing, the Chairman, without any inspection of the holding, or inquiry into the question of the tenant's improvements on the evidence of the landlord's valuation, fixed the judicial rent on the basis of the old rent; and, if so, whether the Government will afford facilities to Sarah Maguire for a re-hearing of her case?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said, he had applied for the necessary information, and he would, when he received it, communicate with the hon. Member.

MR. CONWAY said, he would repeat the Question on Thursday.

BUSINESS OF THE HOUSE.

MR. HOWORTH (Salford, S.) asked the First Lord of the Treasury, If it is the intention of the Government shortly to ask the House that the whole Sittings on Tuesdays and Fridays for the remainder of the Session may be allotted to Government Business?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): It is probable that the Government will have to ask the House for further facilities for dealing with Government Business.

MR. BRADLAUGH (Northampton) asked, whether these facilities would touch Wednesdays as well as Tuesdays and Fridays?

MR. W. H. SMITH said, he could not say what course he should be obliged to take until he made the announcement.

MR. BRADLAUGH asked, whether the right hon. Gentleman, if his facilities extended to Wednesdays, would consider the point urged by him early in the Session—that the operation of the New Rule practically deprived private Members of any opportunity of proceeding with Opposed Bills?

SMALL HOLDINGS—THE SELECT COMMITTEE.

MR. ANDERSON (Elgin and Nairn) asked the First Lord of the Treasury, If the Select Committee on Small Holdings will be empowered to inquire into the subject with regard to Scotland as well as England; and, if Scotch Members will be represented on the Committee?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I do not see any objection to Scotland being included in the Reference to the Select Committee on Small Holdings. If such inclusion is made, Scotch Members will be represented on the Committee.

MOTIONS.

NOTICES OF MOTION AND ORDERS OF THE DAY.

Ordered, That the Order for resuming the Adjourned Debate on the Motion relating to "The Criminal Law and Procedure (Ireland) Act, 1887," have precedence this day of the Notices of Motion and other Orders of the Day.—(*Mr. William Henry Smith.*)

SITTINGS OF THE HOUSE, SUSPENSION OF THE STANDING ORDER.

Ordered, That the proceedings on the Motion relating to "The Criminal Law and Procedure (Ireland) Act, 1887," if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House."—(*Mr. William Henry Smith.*)

ORDERS OF THE DAY.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887.

RESOLUTION. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [25th June],

"That, in the opinion of this House, the operation of 'The Criminal Law and Procedure

(Ireland) Act, 1887,' and the manner of its administration, undermine respect for Law, estrange the minds of the people of Ireland, and are deeply injurious to the interests of the United Kingdom."—(*Mr. John Morley.*)

Question again proposed.

Debate *resumed.*

MR. W. O'BRIEN (Cork Co., N.E.): Sir, I hope the hon. and gallant Member for North Armagh (Colonel Saunderson) who registered that terrible vow to place his heel on our necks, will not be offended with me if I say that the speech we listened to last night seems to me not to demand any very protracted attention except from persons in search of amusement. Whatever else may be said of the Irish Question, I think we are pretty well agreed on both sides of the House now that it is no laughing matter any way. The hon. Member for South Tyrone (Mr. T. W. Russell) did deliver a very clever speech, a highly artful composition, and I am sorry to have to think that the hon. Member was engaged in not uncongenial work in attacking an absent man and in fixing, or in attempting to fix, the stigma of successful villany upon the name and upon the work of John Dillon. The hon. Member had one other characteristic, and that is that somehow or other he always attacks the Tory Government when he can do them no harm, and always comes to their rescue whenever his services are of the smallest value. The hon. Member's speech last night was stuffed with two topics. He abused the Plan of Campaign, of course, and he trotted out once more the two stock horrors from the County of Kerry, which had already done duty in the speech of the Chancellor of the Exchequer, and in the speech of the hon. and gallant Member for Armagh. Why two alone? It seems that nobody can exceed that number even in the County of Kerry. I claim that we on these Benches are at least as honestly disgusted with these abominable things in Kerry as Gentlemen opposite or the hon. Member for South Tyrone. I confess that it sometimes strikes me that the Unionist orators seen to be not at all disinclined to dabble their sleek hands in the blood of those miserable creatures in Kerry. When I saw the crocodile tears shed over Norah Fitzmaurice by the hon. Gentleman and by hon. Gentlemen on the other side of the House, I could not help thinking of the thousands and hundreds of thousands of Norah Fitzmaurices whom Irish landlordism has flung out to die on the roadside or to meet perhaps a worse fate in the streets of New York, without one word of protest or one tear for their fate from hon. Gentlemen opposite. Is it candid, is it honest for the Member for Tyrone to mention the Plan of Campaign, and these crimes in Kerry in the same breadth, as if there were some connection between them? The hon. Member knows as well as I do that there was no more connection between the two things—[*Cries of* "Oh!"]—yes, I repeat there is no more connection between the two things than there is between the proceedings of this Parliament and a murder in the New Cut. Hon. Members opposite may jeer who can do nothing else. I tell them that they will not conceal from the English people the fact that the one county in Ireland from which they can produce even their two horrors, to work upon English feeling, is the one county in Ireland where the Plan of Campaign has never started. Let them jeer as they like. I tell them that the County of Kerry is the one county where the influence of the National League has at all times been weakest and most paralyzed. Not one great public meeting has been held in that county for years. Not one prominent Member of the Irish Party has set foot in Kerry for years past. Kerry has been left in the undisputed possession of the Moonlighters and Her Majesty's Government, and a pretty Arcadia they have made of it. Instead of our having anything to blush for in connection with the crimes, horrors, and the atrocities in Kerry, it is our highest testimony. It is the withers of Her Majesty's Government that are wrung by them and not ours. Kerry is the one county in the whole South of Ireland where the Plan of Campaign was never started, and yet it is the one county in Ireland where murder and Moonlighting are most ripe. In every part of Ireland where for the last year or two we have been carrying on our operations, we defy Her Majesty's Government to trace to us any crime or stain of blood. Yes; no campaign of ours has been stained with blood. There was the case of an armed emergency

man who was superintending an eviction, helped by Her Majesty's Government, and shot down an unfortunate tenant. But Her Majesty's Government have confessed their crime, and agreed to give compensation in an action brought by the relatives of the murdered man. They confess that they were trespassers, and went there to commit a murder. If the man they killed had arms, and had known that he had the power of England at his back, he would have been perfectly justified in killing his assailants. But, Sir, I will pass from that. All this disgusting claptrap about crime in Ireland is what American politicians call the policy of the "bloody shirt," and its object is to bring war and hatred between people who desire to live at peace. Thank God, at home as well as in America that policy is seen through and discredited, and it is played out. To come to the Plan of Campaign, I should have supposed that the conscience of the hon. Member for Tyrone would have twitted him with reference to the Plan of Campaign. The hon. Member told us that the Plan of Campaign is responsible for the passing of the Crimes Act. I retort on the hon. Member that he is responsible for the passing of that Act more than any man living. If, when the Member for Cork (Mr. Parnell) introduced a Bill to suspend evictions in Ireland under certain conditions in the Autumn Session of 1886, the hon. Member for Tyrone had adopted the same tone which he took a few months afterwards towards the Tory Land Bill of last Session, he and his Liberal Unionist Friends, powerless for all else, would have easily prevailed on a Tory Government to legislate that autumn, and the Plan of Campaign would never have existed. What did the hon. Member do? He scoffed at the hon. Member for Cork's statement that there was any urgent crisis to be dealt with, and in the name of the farmers of Ulster he denied there was any special emergency such as there was in 1880-81, and said that the farmers were perfectly well able to meet their engagements. A few months afterwards the hon. Member came cringing to this House, declaring that the landlords would repeal the Union as sure as fate. Let them read his hysterical letters to *The Times*, crying out "God help and save the unhappy people." Is that a trustworthy guide in the affairs of the farmers? He will learn better, no doubt, next Session, and the Tory Government will learn better. But it has been the Plan of Campaign that has taught them better. I think it was the hon. Member for South Tyrone and those he acted with who were directly responsible for leaving the farmers of Ireland defenceless that winter, and who, therefore, were more directly responsible even than the hitherto unsuspected author of the Plan. It was the Plan of Campaign which first taught you wisdom, and the hon. Member for South Tyrone tried last night insidiously to conceal that the men the Government are endeavouring to crush in Ireland to-day are the men who have taught them that lesson. I will dwell for a moment on the speech of the hon. Member, because he looked upon this point as one of vital importance. With all the artifice, and among all the tricks, and not very creditable tricks, of which I have to complain is the speech of the hon. Member for South Tyrone. What did the hon. Member say? In the first place he had the audacity to talk—and I noticed that right hon. Gentlemen opposite cheered enthusiastically the compliment—of the Land Courts being opened under the Act of last year by Her Majesty's Tory Government. The hon. Member knew as well as I know that they were opened in the teeth of the views and grimaces of Lord Salisbury. Then he told us that the Plan of Campaign on the Massereene Estate was indefensible, because the judicial tenants could get their abatements and the non-judicial could go into Court to have their rents fixed under the Act of last Session. I ask, again, was it honest of the hon. Member to give uninformed persons in England an impression which he knew to be diametrically opposed to the fact? He knows that not merely the Massereene dispute, but every prominent dispute that is still outstanding under the Plan of Campaign, arose before the Tory legislation of last Session, and arose out of a state of circumstances which this House and the Government had solemnly, and on the Statute Book, declared to be oppressive and indefensible. Let me dwell on this point for a moment, for I consider it to be of the utmost importance. This fallacy

underlay the hon. Member's speech last night, from beginning to end, and ought to be completely and speedily demolished. What was the fact as to the Massereene dispute and all the other disputes which were outstanding and which have been enumerated? Every prominent dispute under the Plan of Campaign which the hon. Member enumerated with such glee—the Ponsonby dispute, the Massereene dispute, the Coolgreaney and Lugganstown disputes, arose before the Government legislation and because they refused to legislate. I defy the Chief Secretary—I dare say he will pick himself up to answer me in the course of the evening—I defy the Chief Secretary or any hon. Gentleman to point to any single great estate where the Plan of Campaign has been put in operation on which the tenants were free to take full and free advantage of the Act of last year. I defy him to name one. I am sorry to emphasize these things, but I feel bound to do so, and I challenge the right hon. Gentleman now to deny that; in point of fact, the Plan of Campaign is now being used, not to extort concessions in the future, but in order to secure the advantages which the House conceded last year to the general body of tenants in Ireland—to secure those advantages to the tenants on those very estates whose courage and whose self-sacrifice wrung the concession from a reluctant Tory Government, and from the sceptical Member for South Tyrone. I hold that what the right hon. Gentleman is doing in Ireland at the present moment is not dealing with crime or any widespread conspiracy against rent. There is no such thing; he is engaged in victimizing and crushing, if he can do it, a couple of dozen bodies of tenants in Ireland whose struggles have forced Lord Salisbury to swallow his views as to the finality of judicial rents. They are the object of vengeance because they are right and because they are unconquerable. Whatever ridiculous and vague abuse may be showered upon the Plan of Campaign by persons who know nothing of its operations — and if the Plan of Campaign were crushed out of existence to-morrow morning I defy anyone to point out what the right hon. Gentleman would have succeeded in doing except to ruin and exterminate this couple of dozen of bodies of Irish tenants, whose courage and self-sacrifice won the Act of last Session. What all the detestable cant about the crimes of Irish Members and the successful villany of John Dillon comes to is this —that they have refused to desert those men, and that they have declared that, so long as they live, they will not stand by and see them struck down and ruined or offered up victims as a holocaust to the vindictive feelings of the landlords because they won the Act of last Session, and because the Plan of Campaign has proved too much for them. That is the work, the brave work, that the right hon. Gentleman is engaged upon in Ireland, and for doing which he is lauded as the modern Quintius Curtius. It is at the bidding of the Irish landlords that the right hon. Gentleman is engaged in crushing out of existence poor unarmed Irish tenants because they have shown themselves to be more than a match for him. That is the tremendous task which the right hon. Gentleman's soldiers and police and removable magistrates are engaged in, and it is a task which, up to this hour, they have most absolutely failed in accomplishing—so resolutely and ignominiously failed in accomplishing that the right hon. Gentleman, or his agents, have been obliged to skulk over to Rome to invoke the good offices of the Holy Inquisition to strengthen the Imperial arm of England. The right hon. Gentleman the Chancellor of the Exchequer asked me last night whether there would be any Plan of Campaign under an Irish Parliament, and I venture to tell him that there would not, and I will go a little further and make bold enough to say, that if, when the Tory Government found it necessary to pass the Act of last Session, they had honestly insisted that the Campaigners should be entitled to the benefits of that Act instead of excluding them from the pale of the law, the Plan of Campaign would have disappeared long ago. But instead of taking that course, the right hon. Gentleman preferred to show an iron hand, to hunt down like wild beasts those tenants who had been too much for him in playing Quintius Curtius, and for the landlords, and to lend himself to abominable methods of government as impotent as they are cruel. I am in a position now to repeat my challenge to the right hon. Gentleman four months

ago, to point out one single instance where he has conquered the Plan of Campaign with all his bayonets and all his plank beds. The right hon. Gentleman the Chancellor of the Exchequer, in his forlorn hope speech of last night, ventured upon a half-hearted hint that the Plan of Campaign has broken down on the Massereene estate. But if that is the case, what is the meaning of the 25 writs of ejectment, which have been issued by Lord Massereene during the last few days, and of the Rob Roy Macgregor raids which have been made upon the tenants' cattle. The hon. Member for South Tyrone, who held a better brief, did not venture to follow the right hon. Gentleman to that extent. He was content with taking up the more modest position that the Plan had not yet, and he appeared to derive some consolation from the fact, actually succeeded in every single instance. The fact is that the Plan has only succeeded in 19 cases out of every 20. The hon. Member, however, did not point out that the landlords have not succeeded in crushing down the Plan in any single instance. The hon. Member has expressed great sympathy for the sufferings of the tenants who have entered upon the Plan of Campaign. I may console the hon. Member by telling him that the Plan is getting on, and that its supporters may use with regard to it the famous Italian phrase, which used to be so popular among the "No Popery" Party in England, "*E pure si muove.*" Let me mention this. Even since Mr Dillon's imprisonment last week rents have been reduced under the operation of the Plan of Campaign from 6*s.* to 9*s.* in the pound in Roscommon and in Galway, while obnoxious agents, such as Mr. Kendal, who acted in a merciless manner, have been dismissed. As the hon. Member has wasted so much compassion upon the tenants who have been evicted it may soothe his feelings to learn that after nearly two years' operation there have only been 280 tenants evicted upon Campaign estates out of more than 60,000 who have fought and won under the banner of the Plan of Campaign, that every one of those 280 evicted tenants is now in a comfortable home, and that everyone of them will yet go back in triumph to their old homes before the landlords have done with their successful villany. I desire to refer briefly to the facts of the Massereene estate. The hon. Member for South Tyrone had the hardihood last night to describe the occupiers on that estate as quite a thriving lot of tenants. Sir, the hon. Member on one occasion described the harvest of 1886 as a beautiful one, and yet, within a couple of months afterwards, he came down to this House to complain of the action of the landlords in enforcing their claims for rent and threatened to break down the union. I admire the hon. Member's courage in running away much more than I do his antics as the jumping cat in politics. There is only one intelligible theory with regard to the hon. Member's oscillations and gyrations on the Irish Land Question, and it is that while he always abuses the landlord in safe generalities, he invariably betrays the tenants when the question is a practical one. The question before the House is—Are the Massereene tenants right or wrong—is their claim to a reduction of rent an honest or a dishonest one? I must apologize for referring to the subject after the clear and lucid statement made by the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre), who went over and investigated the facts on the spot. The Irish people will always hold the courage of the right hon. Gentleman in grateful remembrance. The evidence I have on the subject is a triumphant vindication of the honesty of the tenants and of my hon. Friend John Dillon. Lord Massereene has dismissed his agent for proposing that the rents upon his estates should be reduced, and he then placed himself body and soul in the hands of a firm of Orange emergency solicitors, who added to their business of solicitors the business of common bailiffs. But even those persons informed Lord Massereene that he was wrong in refusing to make the abatement proposed by his agent, and that the tenants were right in insisting upon demanding it. The hon. Member for South Tyrone told the House yesterday that Lord Massereene is now willing to make reductions all round upon the scale of the reductions which are being made in the Land Court.

MR. T. W. RUSSELL (Tyrone, S.) said, that what he had stated yesterday was that Lord Massereene was now dealing with the arrears upon his estate

upon the same scale as the Commissioners were dealing with the rents.

MR. W. O'BRIEN: I will come to that point of the arrears presently, and probably in a way the hon. Member may not anticipate. What I am dealing with now is the undoubted fact that Lord Massereene has now agreed to give abatements on the scale of those given by a Land Commission appointed, picked, and packed by a Tory Government for the express purpose of discrediting the Plan of Campaign on the Massereene property. Those Commissioners found themselves obliged to award reductions of rent at least equal to, and, in some cases, greater than, those the tenants were asking for under the Plan of Campaign. Here, then, we have the landlord, the agent, and the Land Commissioners vindicating the tenants. In face of facts like these, how can any man have the hardihood to talk to the Irish Representatives of dishonesty or immorality, or affect to treat as an injured innocent this degraded lord, against whom Sir Redvers Buller —I challenge that officer to deny it— was obliged to warn the Castle officials as a drunken and disreputable sot? "These be your gods, O Israel." These are the cherubim and seraphim from whom the Irish Representatives and Irish people are asked to learn morality. Those are the men whom the Government honour while they put a felon's garb on John Dillon. The hon. Member for South Tyrone is anxious that I should attack the question of Lord Massereene's offer as to arrears. Certainly it was one of the crafty devices by which the hon. Gentleman sought to delude the House and evade the real question. The hon. Gentleman spoke last night as if Lord Massereene's present offer as to arrears was a matter antecedent to the Plan of Campaign. Why has Lord Massereene agreed to score out the arrears? Because the Plan of Campaign has taught him wisdom. What are the terms of that settlement? Lord Massereene is, indeed, now willing to make the abatement which he refused point blank to make when the Plan of Campaign was adopted on his estate. He is only willing, however, to make it on condition that the unfortunate tenants, whose demand he now acknowledges to be just, should be crushed to the earth with law costs that were incurred in teaching him to be honest. But, worst and most cruel of all, he insisted, and now insists absolutely as a term of settlement, that a certain list of prescribed men—whom, as it were, he sets out in a schedule—shoud be exempted from all the benefits of the settlement. What is the meaning of that? The settlement is the price Lord Massereene is prepared to pay in order to get these particular men into his power—to ruin them, to make examples of them, to root them out, and to evict them. Why? Because they are what he calls the ringleaders—that is to say, because they are the bravest and most self-sacrificing tenants, who risked everything in order to stand by their poorer brother tenants, and to compel Lord Massereene to do through the Court what he had refused to do under the Plan of Campaign. The object is to visit vengeance upon these men, to drive them away, and to terrorize every weak creature in the country-side; to cause these men to desert their poorer neighbours, in order that the Chief Secretary may be able to brag of one victory over the Plan of Campaign. This is the plot which John Dillon frustrated by his speech at Tullyallen; and and I think that Mr. Dillon might safely stake, not only his liberty, but his life, upon the verdict of any 12 Englishmen as to whether all this villany—luckily unsuccessful villany—and all the injustice of the landlords and the officials who concocted the plot, were not worthily baffled by the man who infused his own brave and indomitable spirit into the campaigners. I am sorry that I should have occupied the time of the House so long, and that I should have spoken with so much heat; but as long as my voice can be heard, neither John Dillon nor the Plan of Campaign will lack a defender. All the proceedings of the Chief Secretary in Ireland, as enumerated by the right hon. Member for Newcastle (Mr. John Morley), in his speech last night, remains to this hour unanswered and unanswerable in every particular. It now becomes a matter for the attention of Englishmen, Scotchmen, and Welshmen, rather than of Irishmen, to say how they like the policy of the Chief Secretary in Ireland—to say whether they are proud of the policy, the black vans, the bread-and-water diet of the Representatives of the Irish

people. They have now to say whether they are satisfied with the results of the right hon. Gentleman's system of government by gibes and gendarme Judges, and with his candid and ingenious method of answering plain questions. Judging by the honest and hearty words uttered by the hon. Member for the Ayr Burghs (Mr. J. Sinclair), I am inclined to think that the Scottish people are not quite satisfied. I doubt very much whether the right hon. Gentleman is altogether satisfied himself, or whether he is as self-satisfied as the House could remember him to be once upon a time. I confess that when the Chief Secretary took the extraordinary course last night of entrusting the reply to the damning indictment of the right hon. Member for Newcastle to the Chancellor of the Exchequer, I could not help thinking of Achilles bestriding the prostrate form of Patroclus. Achilles was not in particularly good form last night. He was happy to think that Patroclus would revive that evening. No doubt he had made a last and gallant rally for this debate; but he thought the most devoted admirer of the right hon. Gentleman would own that he was not altogether the sort of man he used to be when he first took up the Crimes Act, and when he used to make those brilliant sarcasms at the expense of the Irish Members and the Irish people. There is one infallible test as to what is thought of the right hon. Gentleman's success in a quarter best qualified to judge—the Irish landlord party. The other day *The Dublin Daily Express* got hold of a rumour that the right hon. Gentleman was going to resign. *The Dublin Daily Express* instantly jumped to the conclusion that the rumour must be true, and forthwith preached a handsome funeral oration over the right hon. Gentleman's body. When the news reached Castlerea, where a Crimes Court was sitting, one of the removable magistrates, Mr. Beckett, immediately said to the Crown Prosecutor—"Mr. Burke, do you propose to proceed any further?" Mr. Beckett was one of the gentlemen of whose legal competency the Lord Lieutenant is sufficiently satisfied. Mr. Beckett thought it was high time to "hedge." He evidently has his doubts about the promised 20 years of resolute Government. The Chancellor of the Exchequer has advised the friends of the Government not altogether to despair, but Mr. Becket is evidently not even so sanguine a man as the Chancellor of the Exchequer. There is one subject to which I must allude, though it can only be one of pain, and perhaps I have said more than I ought to have said on the subject; but I cannot altogether forget that it is not so long ago that the right hon. Gentleman the Chief Secretary roused the merriment of the Tory Gentlemen of England by delicate allusions to the weak hearts and sensitive nerves of some of us. I might possibly retort that, on the whole, our hearts and nerves have stood the strain as well as those of the right hon. Gentleman. At all events, I do not think that the right hon. Gentleman can altogether conceal his own feelings in this matter. I congratulate him, at any rate, upon this—that he has learnt at last that the government of Ireland is, at all events, a serious matter. I desire to speak in no vindictive spirit of the right hon. Gentleman; because, unfortunately, we have seen too many Chief Secretaries for Ireland pass along that same miserable path, and my feeling is one of sorrow for them, for they are attempting a fatal and an impossible task. It is not their fault, they are not to blame; they have been set to do the impossible, and, sooner or later, with the measured certainty of a Greek tragedy, they will find that out. The right hon. Gentleman is an able man and a clever man; but I think that the right hon. Gentleman is a beaten and a broken man to-day. He has been beaten from pillar to post through every clause of his Crimes Act, from the Star Chamber clause to the newsvendor, and from the newsvendor back again, and has almost ceased to attempt to suppress the National League, has almost ceased in the suppressed districts to continue to annoy the League which two months ago he told this House was a thing of the past, but of whose influence the Chancellor of the Exchequer last night declared to be ubiquitous. If worse things have not happened in Ireland it is because the right hon. Gentleman has not dared to let loose the landlords upon those 8,000 or 10,000 tenants who are at their mercy at this moment under the existing clauses of the Land Act of last year. His Crimes Act has not

frightened one small boy in Ireland—not even one small girl. The hon. and gallant Member for North Armagh bragged last night that he would have the majority when the debate was over. Of course he will; he is bound to have it. The Liberal Unionists are in the position of men in a condemned cell; they will naturally vote for abolishing capital punishment; they are, at all events, in favour of postponing the day. As far as the Irish people are concerned, they stand exactly where they stood in the beginning—where they and those who went with them will stand to the end. Chief Secretaries may come and Chief Secretaries may go; but the Irish cause goes on for ever. We have confidence in God and in the future, in our leaders, and in the Irish people and their undying aspiration; we have confidence in the great human heart of the British masses and the British millions, who have only to know the working of coercion to loathe and discard it for ever. Every day that confidence is growing, every day the common struggle in which we are joined as comrades is knitting the two nations together by bonds which nothing can sever, and in that firm confidence the Irish people will go on, cheerfully suffering, holding their ground and biding their time until the hour—the inevitable hour—when the ill-assorted majority who condone the horrors of coercion here to-night will have to face the judgment and the condemnation of every man who believes that Ireland can be united to England for ever by sympathy and trust, but never by a bungling and hateful tyranny.

MR. CHAPLIN (Lincolnshire, Sleaford): Whatever anxiety we may have entertained as to the strength of the hon. Member's heart and nerves when he commenced his passionate declamation, there can be no doubt as to the strength of his lungs. The hon. Member commenced his observations by informing the House that the speech of the hon. and gallant Member for North Armagh (Colonel Saunderson) last night was not deserving of any reply except in the opinion of those who desired amusement. I am not surprised at the hon. Member expressing that opinion, because, for my own part, I venture to say that a more powerful and able speech than that of the hon. and gallant Member for North Armagh has never been delivered upon this subject, and this is no doubt a very convenient excuse on the part of the hon. Member for abstaining from replying to it. It affords another illustration—if further illustration is wanted—of the manner in which the Nationalist Party whenever they are challenged in this House invariably shirk the issues placed before them. The hon. Member has directed an unworthy taunt at the hon. Member for South Tyrone (Mr. T. W. Russell). He would have us to believe that it is because Mr. Dillion is unable to be in his place that the hon. Member attacked him in a manner in which he would not have attacked him if he had been here. What right has he to make such a charge against the hon. Member for South Tyrone? No one who has watched the career of the hon. Member will be prepared to say that he would get up in his place and make charges against Mr. Dillon which he would not make if the hon. Member were here. It is a calumny on the hon. Member for South Tyrone, which I think even his opponents among whom he sits would repudiate with just indignation. The hon. Member for North-East Cork turned next to the pathetic description of the Boycotting of Norah Fitzmaurice, and there were no bounds to the hon. Member's scorn and the sneers in which he indulged at the "crocodile tears" in connection with this subject. Let me remind him of what happened. I think I may touch even the hon. Member before I have done. The hon. Member is one of the ardent supporters of the National League, and I do not wonder, therefore, that the hon. Member detests this "disgusting cant" with reference to the case of Norah Fitzmaurice. What has happened in this case? The father of Norah Fitzmaurice was one of the unhappy men condemned by the National League. We know, on the authority of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), that crime always dogs the footsteps of the League; and, undoubtedly, the knowledge which the right hon. Gentleman possessed about the state of the League has been justified on this occasion. On the 12th of June, 1887, the Lixnaw branch of the National League passed the following resolution:—

"Whereas James Fitzmaurice still persists in allowing his cattle to graze on the farm from

which his brother was evicted and refuses to give any explanation to the League"—

what right had they to ask for any such explanation from any free man in a free country, or what would be a free country were it not for the tyranny of National League. As he refuses to give any explanation to the League in extenuation of his conduct—

"We hereby call upon the public to mark him as a landgrabber of the most inhuman type."

Then follows the usual thing that "dogs the footsteps of the League," and this man was brutally and inhumanly murdered. I hope the hon. Member will no longer sneer at the crocodile tears that have been shed over the case of Norah Fitzmaurice. But the hon. Member asked, what have you to say about hundreds and thousands of others who have been cast out to die by cruel landlords? No one has ever denied that there has been great hardships in past days imposed by the landlords of Ireland; but all that has been changed. ["Oh!"] Not changed? ["No, no!"] Then I suppose there has been no legislation, no judicial rents, no lowering of even judicial rents? What is meant by saying there has been no change? There has been change, and such change that Irish tenants are now in possession of advantages greater than are enjoyed by any other tenantry in the civilized world. Hon. Members opposite know well that what I am saying is perfectly true. If hard cases occur now they are owing to the tyranny of the National League, and the hon. Members who are its leaders. In illustration, let me call attention to a speech made by a certain Mr. Dennis Kilbride at a meeting of the National League in Dublin on the 29th of March, 1887, in the presence of the hon. Member for North-East Cork, who did not contradict the statement that was made. The incident shows what the real objects of the National League are. The hon. Member would have us believe that it steps in to prevent cruel hardships towards tenants; but what was it that Mr. Kilbride blurted out with the hon. Member by his side? He was speaking of the Luggacurran tenants, and he said they differed from most other tenants in this respect—that they were perfectly able to pay their rents. If the hon. Member is unable to deny this, he stands convicted out of the mouth of his own associate. The hon. Member professes to wish for peace; but the conditions of the peace he desires are evidently an Irish Parliament doing by legislation what is sought to be done by the Plan of Campaign, and satisfying one class by plundering another. No doubt then there would be peace; but that is a peace which I hope the House of Commons and the English people will never consent to for a single moment. Let me now turn to the observations of the hon. Member in reference to the Plan of Campaign. The right hon. Gentleman the Member for Newcastle told us last night that there had been a great deal of loose talk about the Plan of Campaign. We have to-night heard the opinion of the hon. Member for North-East Cork, and I would like to contrast it with other opinions. The Plan of Campaign has been judicially declared to be distinctly illegal by the Judges. It was condemned by Mr. Justice O'Brien, and Mr. Justice Johnston, who was Solicitor General in the Administration of the right hon. Gentleman the Member for Mid Lothian, entirely concurred in that condemnation. Hon. Gentlemen opposite knew perfectly well that it has also been denounced by the head of their own religion. I will say nothing of the Pope to-night but this—that when the hon. Mr. O'Brien, talks of my right hon. Friend having gone skulking to the Pope for his assistance, that, as a matter of fact, what happened was this—So far from the Government sending anyone to the Pope, it was the Pope who sent his own agent to Ireland to make his own inquiries for himself. Dr. O'Dwyer has declared that the Plan of Campaign is a violation of a moral law of justice and charity, and its practice a breaking of the Commandment—"Thou shall not steal." That being so, why is it that Mr. Dillon wears a felon's garb? Mr. Dillon, or any man who receives or orders the reception of rents taken under the Plan of Campaign, is in the position of a receiver of stolen goods, and deserves all he gets. The only note of dissent came from the hon. Member for North-East Cork, and the right hon. Member for Mid Lothian, on the 17th of February, said something in the House which greatly surprised me, and

I took down his words as the tine. My hearing of it was confirmed by the reports in *The Times* and *Daily News*. The right hon. Gentleman said—

"Far be it from me to assert that, necessarily, such a Plan in the abstract is an evil."

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): There is a slight error in the reports caused by the omission of the word "not."

MR. CHAPLIN: I am afraid the memory of the right hon. Gentleman is not strictly accurate. I am well aware of what occurred. I was so struck by the remark—so horrified at it—that the very next day I spoke about it at a meeting connected with the Doncaster election; and I know it was afterwards corrected in *Hansard*, and this morning I have referred to *Hansard*, and I find the passage corrected in this way—

"Far be it from me to deny that, necessarily, such a Plan in the abstract is an evil."—(3 *Hansard*, [322] 770.)

MR. T. M. HEALY (Longford, N.): The right hon. Gentleman is referring to a past debate.

MR. SPEAKER: Order, order!

MR. CHAPLIN: But there is a wide difference between an assertion and a denial. If this corrected version is the true version, why did not the right hon. Gentleman correct the newspaper reports on the following day?

MR. W. E. GLADSTONE: I am not in the habit of reading the reports of speeches on the day after their delivery; but I availed myself of the first opportunity of correcting this speech for authentic publication, and then I was astonished to find this error, which is absolutely absurd to anyone who will read the context.

MR. CHAPLIN: Then I am to infer that the right hon. Gentleman is now prepared to admit that the Plan of Campaign is an evil which he condemns. I am very glad to think so, because it was always a marvel to me how the right hon. Gentleman could abstain from condemning in the most emphatic terms a system of sheer plunder. I am glad to have obtained a remarkable and gratifying admission, because we now know now the attitude of the right hon. Gentleman towards the plan of Campaign. The difficulties of the right hon. Gentleman in this matter must have been very great; his struggles to escape from this terrible position have been sometimes almost pitiable. How did he try to get out of it when addressing the Nonconformist ministers. He said that the real authors of the Plan of Campaign were the present Government, because they refused Mr. Parnell's Bill and his own modest proposal, and he added—"Then came distress, then evictions, then Bodyke, and then the Plan of Campaign." But unfortunately in the statement of the right hon. Gentleman, as a matter of fact the plan was issued on the 17th of October, 1886, and the Bodyke evictions were not till May, 1887, or eight months after the Plan of Campaign first saw the light. Instead of Bodyke causing the Plan of Campaign, it was the Plan which caused the Bodyke evictions, because from the first there was every disposition to deal fairly with the tenants to the extent of not requiring any rent from those who were too poor to pay any, and satisfactory settlements would have been arrived at if it had not been for the mischievous interference of outsiders. I am anxious to say a word now upon the Motion before the House. I am not one of those who in the slightest degree regret the Motion of the right hon. Gentleman. On the contrary, I am glad that right Gentlemen opposite have at last taken courage to themselves, and have ventured to arraign the Government in this House, where they can be met and answered on the spot, instead of adopting a plan which is much more usual with them. That plan is a very simple one; it is to try and blacken the character and reputation of the Government and of their supporters, who sit behind them, by every kind of false assertion and by every species of unscrupulous misrepresentation, repeated upon platforms over and over again all over the country, not only with regard to the Government and the administration of Ireland, but also with regard to the pledges by which their majority was obtained, and the way in which those pledges are being carried out, or rather, as they say, have not been carried out, from that time until now. We have to-night a Resolution which is as sufficiently clear and sufficiently distinct, but it neither charges the majority of that House with having broken their pledges, nor is there any such charge supported by the terms of the Motion. We have

been told that the passing of the Crimes Act, and its administration in Ireland by my right hon. Friend, was undermining respect for law in Ireland. But what is the test, what is the measure of respect for law in any given country? The test is surely the way in which law is being observed or broken in that country. When was the highest average of crime in Ireland of late years? From the month of September, 1881, to May, 1882, the Administration of the right hon. Gentleman the Member for Mid Lothian enjoyed the high distinction of having the highest number of crimes that had been recorded in Ireland for many years. In those nine months there were 4,389 crimes, which culminated in the murder of Lord Frederick Cavendish, in May, 1882, for which I have always thought that the Leader of the Government of that day must be held more responsible than any other man in England. [*Cries of* "Withdraw!"] Over and over again appeals had been made from that side of the House—[*Cries of* "Order!" *and* "Withdraw!"]—to the right hon. Gentleman to ask Parliament for powers to strengthen the hands of the Government of that day, and in so far as the right hon. Gentleman refrained, until that terrible calamity occurred, from asking for powers which Parliament would have immediately accorded. I place more responsibility upon the Head of the Government than upon any other man in the Ministry. [*Cries of* "Oh!"] An Act giving further powers was introduced and carried immediately after the event; and now, when hon. Gentlemen talk of the Crimes Act undermining respect for the law, I would ask them to consider what happened. From the moment of the passing of the Crimes Act in 1882, the number of crimes decreased from 4,389 in the previous nine months to 1,130 in the following eight months, and the monthly record also steadily diminished from 401 in May to 85 in the month of December, 1882. That is our experience of the effect of the Crimes Act in the past. What is the position now? The last Crimes Act was passed in July, 1887. In the six months prior to the passing of that Act, there were 484 crimes; in the six months since there have been 399 crimes; and a similar declension will be seen to have taken place in the following months for which we have the accounts. If those figures show anything at all, they show that under the administration of my right hon. Friend respect for law is gaining rather than losing ground in Ireland at the present time. I acknowledge that the improvement is not as great or as rapid as we could wish, but it is quite as rapid as can be expected, when we remember the exceptional difficulties in which my right hon. Friend was placed. Hitherto, thank God, all parties in the State have united in giving their best support to the Government of the day in the first elementary duty of maintaining law in every part of Her Majesty's Dominions. The right hon. Gentleman would not deny that when he sat on the Treasury Bench he received the warm, loyal, and cordial support of every Member of the Conservative Opposition in fulfilling the difficult task which he had then before him in the government of Ireland. What is the position to-day? The Leaders of the Opposition, and their supporters on the other side of the House, so far from giving support to my right hon. Friend, seem to be filled with one idea, and that is, how to thwart and hinder and embarrass him. And not only that, but they never cease to give encouragement by every means in their power to the opponents of the law in Ireland. It seems as if they felt sometimes positively afraid the right hon. Gentleman would be successful in making Ireland tranquil; it seems as if the right hon. Gentleman the Member for Mid Lothian could not afford to see Ireland quiet, and that, if by any means whatever, my right hon. Friend should be successful in conducting the government of that country, there would be an utter destruction of the political schemes and Party of the right hon Gentleman. When we come to contrast the administration of my right hon. Friend with that of any one of his Predecessors in any Government of the right hon. Gentleman opposite, and when we consider that the highest number of crimes was, as I have shown, 4,389 during the administration of the right hon. Gentleman, and that the highest under the administration of my right hon. Friend is not more than 1,000, hon. Members will, I think, come to the conclusion that there has been no undermining of respect for the law by the present Government, and

that the right hon. Gentleman opposite was successful in undermining that respect at least eight times as much as my right hon. Friend. It is not the administration of my right hon. Friend that undermines respect for law in Ireland; it is something very different. It is the conduct of the Leaders and the Members of Her Majesty's Opposition. I will give an instance to the House of the way in which the game is carried on by the right hon. Gentleman opposite. I acknowledge it is peculiar and most ingenious. Everybody knows the enormous political influence which is wielded by the Nonconformist Ministers of this country. The right hon. Gentleman the Member for Mid Lothian not very long ago met a large assemblage of these gentlemen and made a speech to them in London. What happened? Those poor, simple-minded, truth-loving gentlemen sat at the feet of their Gamaliel with the firm conviction that every word he was telling them was gospel truth. They swallowed everything he told them, and they in turn retailed the stories of the right hon. Gentleman to their flocks as soon as they returned to meet them. And so in all parts of the country the right hon. Gentleman is engaged in trying to undermine respect for the Government as well as for the law in Ireland. What was this doctrine which the right hon. Gentleman preached to the Nonconformist Ministers—what was the burden of his song? He had taken the right hon. Gentleman's own words, and it was this—

"That they, as the majority of the present House of Commons, have abandoned and forfeited all the pledges by which that majority was returned."

He made that assertion, as he told them, "as a deliberate statement."

"Their pledges," he said, "have been cast to the winds, and I say now they have no moral title to represent England and no legal title to represent Ireland, Wales, and Scotland."

I want to know what are the pledges that have been broken. I will give them in the right hon. Gentleman's own words—

"To renounce coercion and to promise, at any rate, a liberal concession of Home Rule was the platform on which the majority stood at the last election."

And again the right hon. Gentleman stated in a letter addressed to Mr. W. Robertson, of *The Ayrshire Post*, dated the 4th of June,—"They had promised no coercion and plenty of local government." [Mr. W. E. GLADSTONE: Hear, hear!] He noticed that the right hon. Gentleman cheered that; but he did not know what was to follow, or he did not think he would have cheered so readily. These are the pledges which the right hon. Gentleman charged us with breaking. I deny them altogether. I say, and affirm it here in the House of Commons, that the charge is absolutely false; and out of the right hon. Gentleman's own mouth I will prove the absolute truth of what I am stating. I am not going to quote from some reckless speech made by the right hon. Gentleman; I am not even going to quote from a post-card or telegram written in a hurry, or from a letter written deliberately by the right hon. Gentleman. I am going to quote from the most solemn document which it is possible for any man in the right hon. Gentleman's position deliberately to have penned; I am going to quote from his manifesto to his constituents while still Prime Minister of England, and which is dated the 10th of June, 1886. That manifesto the House will remember was addressed not only to the right hon. Gentleman's constituents, but to the whole country, and to them and before them he put clearly the issue of the General Election. What did the right hon. Gentleman say now? I beg the House to recollect that the charge against us is that since the last election we have broken our pledges. [Mr. W. E. GLADSTONE: Quote.] I beg the right hon. Gentleman's pardon. I wish to explain that since the General Election his charges were to this effect, that we had before the election promised, "no coercion and lots of local government." What did the right hon. Gentleman say before the election? These are his words—

"Two clear, positive, and intelligible plans are before the world; there is the plan of the Government, and there is the plan of Lord Salisbury. Our plan is that Ireland, under well considered conditions, should transact her own affairs: his plan"—

Let the House bear in mind the plan of Lord Salisbury, the leader and mouthpiece of the majority who were pledged to "no coercion"—

"Is to ask Parliament for more repressive powers, and to enforce them resolutely for 20 years."

What is the House of Commons to think of that to-night? What will England, and what will the people who love truth and fair dealing, think of that to-morrow? The right hon. Gentleman has heard the statements. I invite him to-night to reconcile them if he can. [*Laughter.*] Hon. Gentlemen opposite appear to think it a very easy thing. It is very easy for them to laugh, and they invariably do so whenever they find charges that are not easy to answer brought either against themselves or their Leader. If one of those charges were true, the other must be false. Our pledges could not be pledges of coercion and non-coercion at one and the same time. I wish to know which the right hon. Gentleman adopts at the present moment? [*Cries of* "Both!"] For my part, I do not hesitate for a single moment to affirm that the false charge is the one which the right hon. Gentleman makes against us now and has made against us throughout the country during the last six weeks—namely, that we have forfeited and broken all our pledges. Of course, I do not charge the right hon. Gentleman for one instant with deliberately making false assertions. I would be the last person in the House to do so. I am quite willing and quite ready to place a much more charitable construction on his words, and that is, that the right hon. Gentleman has forgotten that his memory has been failing him of late —[*Cries* of "Oh!" "Shame!" *and interruption*]—and that the right hon. Gentleman does not really remember —[*Renewed interruption and cries of* "Order!"]—that really he does not remember the statements he has made before and cannot be held responsible for what he says upon this subject. That is my charge against the right hon. Gentleman. I am well aware that the right hon. Gentleman fortified himself with regard to the charge of breaking their pledges on the matter of Local Government, by quoting the speech of the noble Lord the Member for Paddington (Lord Randolph Churchill) which he delivered in that House, and in which the noble Lord declared that the Party on that side of the House were pledged to give to Ireland, simultaneously with England and Scotland, any measure of Local Government that might be brought in for those countries. Now, I have myself already pointed out on a former occasion, although I have not been able to do so in this House for want of time, that there was absolute inconsistency between the pledges of the noble Lord and the attitude of the Government. Those pledges were given subject to two conditions—namely, that there should be the same fulfilment of legal obligations in Ireland as there was in England, and that there should be the same state of peace and tranquillity in Ireland. If that were so, I contend that I have successfully shown that the charges which the right hon. Gentleman has levelled against us before the Nonconformist Ministers of the country, of breaking our pledges in regard to coercion on the one hand, and in regard to Local Government on the other, are absolutely false. I have shown that out of the right hon. Gentleman's own mouth and out of his manifesto of 1886, and I hope that the right hon. Gentleman will do me the favour of attempting to show how both of his statements can possibly be true.

MR. W. E. GLADSTONE: Mr. Speaker, I do not feel my temper to be severely tried by the rather violent attacks of the right hon. Gentleman who has just sat down, who says that I, more than any other man, am responsible for the dreadful crime which darkened the month of May, 1882, and who alleges that I habitually make in the country or here "false" charges—an epithet which I think I have carefully avoided on every occasion in speaking of my opponents. The avoidance of such an epithet is, if I may so say, a characteristic of civilized political controversy. I have, however, not the least desire to interfere with the liberty of the right hon. Gentleman; and if I felt inclined to be angry with him at all it would be with that large infusion of charity which induced him, after attempting to show that I had made inconsistent accusations, to explain them by a reference to the accruing infirmities of age. I shall not pretend to determine to what exact degree I am suffering from those infirmities; but I may venture to say that while sensible that the lapse of time is undoubtedly extremely formidable and affects me in more than one particular, yet

I hope that, for a little while at any rate, I may remain not wholly unable to cope with antagonists of the calibre of the right hon. Gentleman. The right hon. Gentleman has kindly and generously given me my choice between two accusations which he says are incompatible and contradictory. I decline to avail myself of the option so handsomely accorded to me. I adhere in the fullest sense of every word to both of those accusations. There is one qualification which the right hon. Gentleman did not mention. I made it clear in the speech which he has quoted that while I made against the majority as a body the distinct charge to which he has referred, I did not make it against every individual of that majority, because I recollected that there were exceptions. I think, if I remember right, my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain) was an exception. If my memory serves me, I recollect that at the period of the Election my right hon. Friend referred to coercion as a policy which he would be inclined under certain circumstances and under certain conditions to support. But as regards the body in general, I have made that charge, and, please God, I will make it again. I do not intend, Sir, to be drawn aside from the business of to-night. I meet the right hon. Gentleman fairly when I say that I hold myself responsible for both of these accusations, presuming to differ from him on what he thinks their contradictory character. In my firm conviction, of course, with all due deference to his superior judgment, they are both of them true, both of them historical, both of them rational, both of them within the facts. It is impossible within the narrow limits assigned to this debate for each speaker—perhaps for any speaker—to traverse the whole field of an indictment so wide as that which has been brought by my right hon. Friend the Member for Newcastle-upon-Tyne (Mr. John Morley) against the Crimes Act and its administration in Ireland. There is a general understanding, I believe, that the debate shall close to-night. In my opinion, for such a subject to have been fully and satisfactorily discussed, it would have required three times the period which is assigned to it. Notwithstanding that, I am making no complaint at the course pursued by Her Majesty's Government in this matter, although I did regret that the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) found himself in duty obliged to threaten us with what would happen in case the debate should be unduly prolonged. He has pointed to the consequences that would ensue in regard to the mutilation and the possible loss of a measure to which we attach great value. But that is a passing matter. I am aware it is desired in the present state of Public Business—and I think it does great honour to the Irish Members that they should concur in the arrangement—that we should be content with placing fairly, although inadequately, the charges which we have to make, and that we should then revert to the consideration of the great public matters that we have to dispose of. I state this, however, simply as an introduction to a separate statement. With the exception of one particular subject—namely, what I deem to be the extremely important case of Killeagh—I do not intend to enter into details upon the several portions of this matter. They were treated by my right hon. Friend (Mr. John Morley) in a manner which, if not complete—and complete it could not be—was wonderfully comprehensive, lucid, able, and concise, and I am ready in what I pass over to be bound by the statement which he made. Now, Sir, I am compelled first to reiterate the complaint, though I will not dwell upon it, that information has been withheld which ought to have been given to us. I found, in fact, upon that withholding of information, upon the manner in which information has been given, upon the illusory and inaccurate character of the statements of the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour), a charge which I think we can sustain, and for which I make myself responsible—whether intended or not, it has amounted on the part of the Government to an endeavour to oust the House of Commons from its proper jurisdiction in watching the operation of exceptional laws, and in making provision, wherever circumstances seem to require it, for the maintenance of the sanctity of private rights. Now, Sir, I remind the House that we were refused information on the depositions connected with the imprisonment of Mr. Dillon. We have been ab-

solutely refused wholesale information in the case of conspiracy. We have been refused information on the subject which of all others was best calculated to test the success of the policy of Her Majesty's Government—namely, information relating to derelict land. We obtained, it is true, a Return on the Motion of my right hon. Friend (Mr. John Morley) of the cases of persons tried under the Crimes Act. And what a statement it was which was presented to us. The right hon. Gentleman seems to think it is the duty of each Member for himself to compile statistics, and the duty of the Government to give every opposition they can to supplying us with knowledge in a state in which we can use it. So chaotic and so slovenly a Return on a subject of such importance, without dates of time, without notification of place, without classification of the 2,000 offences, so as to enable us to know how many there were of one class, and how many there were of another, I do not think I ever knew presented to Parliament; and, when it is presented, it is at the beginning of a debate which is to terminate on the second night. A graver matter still remains. Information was refused in regard to the deplorable and disgraceful transactions at Mitchelstown. A less grave matter, but one which illustrates the position in which we are placed, was the refusal to give us any information with respect to the transaction at Ennis. And how are we placed? We hear statements made in this House. We recite them elsewhere. I heard a statement made in this House which I thought challenged and deserved inquiry—namely, that officers in command of Her Majesty's Forces, and especially of Cavalry, sent into a certain yard, which the Government described as densely packed with people, a portion of that Cavalry. A more unwise, a more blameworthy proceeding, although there was no intention of charging, I could not have supposed. It was also stated that there was a charge of the cavalry in the yard. That was at the time not admitted by the Government; but that the Cavalry were sent into the yard they never questioned for a moment. I made the charge in a speech at a public meeting, that the Cavalry were sent into that yard, and I admit there were words of mine which might have been understood in the sense that I gave credit to the statement that the Cavalry did make the charge. That, however, was quite an incidental part; the substance of the charge I meant to make was, that the Cavalry were sent into the yard. For that charge there was no foundation. The Cavalry were not sent into the yard. A particular Hussar went into the yard and seems there to have misconducted himself to the injury of one or two perfectly innocent persons. What happened? Our prayer in this House was for inquiry. We made none of these charges as proved facts. They were reported in the newspapers. We, seeing them there, prayed for inquiry. We were refused all inquiry; and this officer, for whom I have a great respect, for I believe him to be an honorable and a liberal-minded man—that is, I believe him to have been an honourable and liberal-minded man—Colonel Turner—writes a letter to the newspaper denouncing me as a person totally void of the sense of truth and justice, because I had made a charge, which charge was made in this House and not denied by Her Majesty's Government. That is the position in which we are placed because of this almost systematic refusal of accurate information on the part of Her Majesty's Government in a case of this vital importance. I must point out in all fairness, that when he said that I had stated this matter in defiance of what had been stated by the Government in the House of Commons on the 12th of April, he completely admitted that the Cavalry had been sent into the yard densely packed with people. Well, sir, the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) made a statement which I may take notice of in order that I may come nearer to the vital parts of this case. The right hon. Gentleman spoke of two cases of murder in Ireland in which the Crimes Act had been useful—one by the change of venue, and the other by the use of the private inquiry. Every man in this House rejoices in those two solitary cases in which the Crimes Act has been of use; but the right hon. Gentleman seemed to think, and seemed to wish the House to think, that these were the main matters for which the Crimes Act had been passed. Why, Sir, was there any difficulty in this House last year made by my hon. Friends near me or by myself on the question of properly

criminal jurisdiction? Nothing of the sort. My right hon. Friend, I think in the very first speech he made upon the subject, said that he was perfectly ready to entertain the consideration of provisions for the *bonâ fide* corroboration of the Criminal Law. I expressed my concurrence with him, and I believe he actually pointed in principle to these very two questions, the change of venue and the clause of private inquiry. I know that that clause of private inquiry took a long time; but why did it take a long time? It was because of the bungling and inefficient manner in which it had been drawn, so that when it came into this House it consisted of 30 lines, and by the time it received the sanction of the House in Committee it consisted of, I believe, 120 lines. Sir, there should have been no difference of opinion between us on these matters; but what was our contention from the first? It was that this was not a Crimes Act at all. It was not framed for the purpose of putting down crime. It was a Combination Act. It professed to go against conspiracy. It was really aimed against combination, and we shall see how it has been applied in these matters. But when the right hon. Gentleman wishes the issue to be taken on the subject of the two murder cases, as to which there are not two opinions in this House, and wishes it to be supposed that this is the question now raised on which the House ought to decide—against these two cases of murder I point to the 2,000 cases in which Her Majesty's Irish subjects have been prosecuted by the Government and in which hundreds of them, unless I am very much mistaken—I believe I might say by far the larger majority of those 2,000—have had to suffer the anxiety of trial and the penalty of imprisonment, and you cannot, by pointing to two cases of murder in which particular provisions that nobody would have objected to on principle have been put in operation, escape the issue on the general administration of the Crimes Act. Now, Sir, I shall not attempt after the powerful speech of the hon. Member for North-East Cork (Mr. W. O'Brien) to speak of the Plan of Campaign or Mr. Dillon, but I shall remark on the manner in which the right hon. Gentleman who has just sat down (Mr. Chaplin) treats me with respect to the Plan of Campaign. Having quoted a line and a-half from a speech of mine he thereupon expands it by his great power of paraphrase, and thus, making me responsible for the padding he puts in, he is good enough to express his lively satisfaction at my admission of fair and sound doctrines which are in reality the offspring of his own fertile brain. I was certainly not less than half-an-hour in the month of February in giving fully and carefully my views of the Plan of Campaign. I am not going to enter into it at large at present, what I am going to do is this, to state in one single sentence what I believe the right hon. Gentleman has not the smallest idea of, and, what I do not know, whether the Government thoroughty comprehend—namely, what is the real contention that hon. Gentlemen sitting on the opposite side of the House have to meet with respect to the Plan of Campaign? I shall state it without a word of comment, and the contention, as I understand it, is this—that the Plan of Campaign was framed when Parliament had refused to make any legislative provision for the necessities of the tenantry of Ireland in the year 1886, and that it met the case by making demands upon the landlords equal or inferior to those which, in the Act of 1887, the Land Commission had acknowledged to be just. That is the true state of the question. It is idle to travel round and round it as the right hon. Gentleman (Mr. Chaplin) has done; it is idle to advance against it the naked doctrine that it is the law and that the law shall be obeyed. ["Oh, oh!"] I know there are those in this House to whom it seems to be a cardinal principle and a sacred duty to make no investigations of Irish history, no more than they think right, or of the general opinion of the world as to the relations between Ireland and England. But that is not so in Ireland. The recollections and the traditions of Irish history are burnt into the very soul of the people. We know how the traditions of Marlborough survived from generation to generation on the Continent, and you ought to know how the saying, "The Curse of Cromwell," has lived from generation to generation in Ireland. These things are known and felt there. The Irish people are aware what are the horrors, what are the atrocities almost incredible, that have been done in Ireland in the

name of law—the tortures, the murders, the crimes of every description which when they have not been done under the name of law have been covered by subsequent acts of indemnity, and who can suppose that a people whose whole souls are full of these painful and grievous recollections can come to the consideration of the law in the same mind and the same spirit as the Judge sitting upon the Bench? In expecting it you show your ignorance of human nature, your incapacity for statesmanship. The principles on which you act have never guided wise legislative assemblies, which have always made allowances for those things and for the circumstances which determine the character of national emotions and recollections, and which have been aware that the cases in the mixed condition of human affairs are not unfrequent. Unhappily, Ireland is perhaps the most conspicuous country in the world where law has been on one side and justice on the other. You do not consider—you do not seem to think it worth while to consider—the facts of Mr. Dillon's case. I will not discuss the matter at large after the vindication he has received from the powerful statement made by the hon. Member of North-East Cork; but I will refer briefly to some of the incidents of Mr. Dillon's case, and first among them I must say that it is a strange irony of fortune that Mr. Dillon should be lectured on the subject of illegality by the hon. and gallant Member for North Armagh (Colonel Saunderson)—the man who has announced that if Parliament think proper to pass a certain law he will lift his hand in violence to resist it and encourage his countrymen to do the same. If Mr. Dillon wishes to serve an apprenticeship in illegality I recommend him to the master opposite; but the apprenticeship will be long and arduous, and Mr. Dillon will have to mount the ladder step by step before he reaches the elevation on which the hon. and gallant Member has been comfortably planted long ago. I want the House to consider how it was that Mr. Dillon became amenable to the law, for, after all, our prime duty here is not to measure in scales of gold the wisdom or even propriety of every individual or his conduct, but to bring to account the Government of the Queen—those who are responsible, those who sway the majority in this House, those who have at their back the Army, and the Constabulary, and that other instrument of justice apparently in some cases not less pliable and effective—namely, the Resident Magistrates. I wish to examine, then, when Mr. Dillon became amenable to the law. Mr. Dillon, I feel bound to assume—I do not wish to go into the judicial decision—I do not know whether it is a direct judicial decision or not; but I shall assume that he was amenable to the operation of the law. He was amenable in County Louth, but he was amenable to its operation subject to going before a jury. Now, that is of all things what Her Majesty's Government most dread. Lord Spencer administered his Crimes Act from 1882 to 1885, and he administered it with all the success that can possibly attend such a measure, and in that Crimes Act we had taken powers for going past the jury in a straightforward, upright, and honourable manner, in the light of day, in case the necessity should arise. It never did arise, and the Act was administered without departure from the principle of trial by jury. What has been done here? An act is done in a county of Ireland, a county which has a pure and splendid reputation so far as outrage is concerned. I am told that as to Louth it may be said—as I am happy to say it may be said of many parts of Wales—that long years have passed since an outrage has been committed in that county. Yet Louth was subjected to the indignity of being proclaimed under the Crimes Act in order that Mr. Dillon might not have the benefit of a jury. These are the acts—this is one of the acts—which provoke men to say that they are not only harsh, not only are they cruel, but they are mean. Of them any Government ought to be ashamed, and if it were possible for the right hon. Gentleman by those researches of which he is so fond to find that something of the kind was done by a Liberal Government—[*Cheers.*]—Oh, yes, that is a delightful prospect, is it not? I say, if he could find such a thing, I would not stoop to apologize for such an act. If I had a share in it I would take a full share of the responsibility, and perform whatever penance you might choose to impose. The County Louth has been proclaimed in order that Mr. Dillon

might be deprived of his rights as a British subject which he possessed at the time he made his speech. Is that the way in which you propose to propagate respect for the law in Ireland? Is that the way in which you think you will draw the heart of Ireland nearer? Nearer to what? Not to the heart of England, for these two great hearts, I rejoice to say, are already morally joined in one, but nearer to Dublin Castle, nearer to the Viceroy, nearer to the Chief Secretary, nearer to the Tory and Dissentient majority. It is necessary, under the high sense of duty that governs the administration of the right hon. Gentleman, that Mr. Dillon should be subjected to the indignity of being put into prison costume. What, says the right hon. Gentleman the Member for Lincolnshire (Mr. Chaplin)? "Serve him right." Serve him right! Is it right, then, to insult a Gentleman of his character? Suppose an accident happened to the hon. and gallant Member for North Armagh in the contingencies which might arise, and which he has foreshadowed. I do not believe that, among his strongest opponents below the Gangway, there is one that would, for a moment, tolerate this indignity should be put upon him. But this has been done to Mr. Dillon. Why? On the ground of the high and inflexible morality which is so characteristic, as we all know, of the Irish Secretary that he cannot help observing upon the want of it in other people. His high morality will not endure the unequal treatment in two cases. Is it equal treatment? Is the prison dress for Mr. Dillon the same thing as the prison dress, for the man with the frieze coat? Is it? Is it the same thing? The right hon. Gentleman (Mr. A. J. Balfour) says it is. I say it is not the same, and I appeal to an authority better than myself, and better than the authority of the right hon. Gentleman, for if it is the same infliction, I put these two questions—Why did Parliament provide in England that every person for the offence of sedition should cease to be subject to this indignity, and should become a first-class misdemeanant? And why did the right hon. Gentleman, who is troubled with a stiff, unbending conscience, bend that conscience in the case of the priest? If the prison dress be the same thing for Mr. Dillon and the frieze coat, is it the same thing for Mr. Dillon and the priest? The right hon. Gentleman has not dared to put the prison dress upon the priest. He receded from it not because he was merciful, but because he was afraid. [*Cheers and Laughter.*] I hope the right hon. Gentleman enjoys that. I believe he has said he had no option—that the law prescribed it, and that the law must be obeyed. Then, I ask, why was the law violated by the right hon. Gentleman in the case of the priest? How can he reconcile his conduct to Mr. Dillon and other Members of this House with his conduct to the priests, or with the policy which has long ago dictated the adoption of a wise and gentle and humane, but perfectly protective, law for the treatment of prisoners committed for sedition in England? What did the Judge say in the case of Mr. Dillon? He inflicted the maximum sentence. But why? Because of Mr. Dillon's great influence. Therefore, he said—I will inflict the maximum sentence." But how has Mr. Dillon used his influence? Go back with me to the memorable and melancholy day at Mitchelstown. [*Laughter.*] I heard that laugh. It must have been involuntary, for it is shocking to suppose that it was anything else. Go back to the melancholy day at Mitchelstown, and to the great outrages of the officers of the Constabulary and the men under their command, and the deaths of three innocent men. It was Mr. Dillon, in my belief, who prevented, by the use of his great influence, a terrible accumulation of that disaster, and that use of his influence ought to have been recollected when he was taken to task by the Judge and the maximum punishment inflicted upon him, because in some other case, the Judge differed from the use he had made of the influence. I make no special complaint of the Judge in this case. I cannot say as much in respect of another case to which I shall come by-and-bye. But the Judge in this case said—"Mr. Dillon is a man of great influence over his fellow-countrymen." By that he meant over the Irish people. The Judge was perhaps hardly aware that Mr. Dillon's influence is not limited to Ireland. There are millions upon millions of people in this country—I believe the large majority of the people of England, as well as of Scotland and Wales—to whom there could be on the

occasion of a public assembly no more welcome tidings than that they were about to be addressed by Mr. Dillon, and there is hardly one whose entrance among them would call forth more enthusiastic acclamation. Now, Sir, I will venture to say that it is a terrible state of things that a man of Mr. Dillon's character, his qualities, and his position is thus treated. It is a state of things which ought to bring about much reflection and which cannot be disposed of by a majority to-night in this House. Well, Sir, I am now going into the case of Killeagh. After the daring statement of the hon. and learned Solicitor General for Ireland (Mr. Madden) last night, and the yet more daring statement of the right hon. Gentleman the Chief Secretary for Ireland on a former occasion, I wish to set out the whole case to the House. The right hon. Gentleman the Chancellor of the Exchequer must not suppose that the slight reference to it with which he was provided has in any degree disposed of it. The hon. and learned Solicitor General came a little nearer to the point when he stated that the men who were imprisoned at Killeagh had been found guilty of conspiracy at Common Law for the purpose of starving the police. Found guilty of conspiracy at Common Law? By whom were they found guilty of conspiracy at Common Law?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): I did not state that the men had been found guilty of conspiracy at Common Law. What I did state—and as my authority I refer to the judgment of the Court—was that the Judges of the Court of Exchequer said there was before them evidence upon which a jury might have found them guilty of a conspiracy at Common Law.

MR. W. E. GLADSTONE: I read a report which has all the appearance of care and precision; but I am extremely glad to hear the statement of the hon. and learned Gentleman, and I at once withdraw what I intended to say on this subject. But if the hon. and learned Gentleman will have the goodness to refer to the newspaper to which I referred this morning—namely, *The Times*—he will find that he has been most seriously misreported, for the words I have used are precisely those which are to be found there. I will now pass altogether from that topic. Well, Sir, I come to what was said by the Lord Chief Baron, and I dwell the more readily upon this case because although, of course, it does not present the entire indictment to the House which it has made against the administration of the Crimes Act, yet it presents what I think is the most important part of the case and goes to the very centre and core of it, because our main contention in the debates of last year was that this Act was not a Crimes Act at all—that is to say, that crime was a secondary and partial subject within its purview; that it was really a Conspiracy Act, and under the name of a Conspiracy Act it was a Combination Act, and was intended to put down lawful and legitimate combination. Now, Sir, let us follow the legality of the proceedings, the competency of the tribunal, and the language of the Government in the case of Killeagh. The hon. and learned Solicitor General for Ireland has, I think, stated very nearly what was said by the Lord Chief Baron in the first part of his remarks. But he left out certain words of the Lord Chief Baron which I think may be accurately represented thus. The Lord Chief Baron was fully of opinion that common action had been proved, and upon this common action he rather thought—that was his expression—there would have been evidence from which a jury would have concluded that the real object was to injure the police, and that upon evidence of that kind an indictment might be brought and the jury might give a verdict. Very well, let us suppose that is so. Then I want to know what is the state of the law in Ireland? I accept it without question. It is not for me to attempt to affirm or deny it; my business is to accept it. The statement of the Lord Chief Baron is that if four men combine at Killeagh, where there is believed to be a conspiracy existing, and are proved by common action to have refused to deal with the constabulary, a jury might convict them of a criminal offence upon evidence which tended to prove as much as that. Now, suppose, not a case of four men who deal in goods and withhold their goods from the constabulary, but a case in England of 400 men dealing in labour and withholding their labour. I believe I might go a great deal further and say "who break their contract." Even that would not be an overstatement. But in the one case

or the other—and I believe I may safely go to the more extreme supposition of a breach of contract—the 400 men would, every one of them, stand scatheless in a Court of Justice. The four men were sent to prison. Where is the equality of Irish rights? This is what we asked—what we pressed for last year, what we were called factious for pressing for. This is what the Government sternly refused. In England the artizan is protected by the law in respect of the disposal of the commodity which he has to dispose of. In Ireland you have refused to protect him by the law in respect of the very same thing, and at the same time you tell us you will not hear of an Irish Legislature to deal with Irish affairs; that the true principle is that which at Westminster and within the walls of Parliament consecrates the principle of equality of rights. Then the Lord Chief Baron goes on—because the part of his speech to which I have referred is entirely incidental—

"Another offence may possibly have been committed. But the question we have to consider is whether a certain particular offence, which we will go on to consider and define, has been committed or not."

What they had to consider—these are the words of the Lord Chief Baron—was whether the common purpose was that this refusal to deal should be accomplished either by compulsion or by influence which he had called undue influence. I call the particular attention of the House to these words, because everything, in fact, turns upon them. I may dismiss altogether the word "compulsion" in this case, because there had been no charge of compulsion. I have been favoured, not by Her Majesty's Government, but by the labour and care of a Member of this House, with the bulky copies of the depositions, and I have read the whole of them; and they all of them charge in one and the same phrase that the offence was joining in a conspiracy to induce certain persons not to deal. Then, said the Lord Chief Baron—"that is the question we have to consider." What does he say upon it? He was bound to say that he did not find one shadow of evidence whatever in this case, and he did not find any evidence on which it could be argued except in the case of David Barry. What was the case of David Barry? Now, David Barry was sentenced, like the rest, for one month. By some process which I do not understand, but I am glad of it, the sentence seems afterwards to have been reduced to one fortnight, on the ground that David Barry had apparently, to the Judges, acted under intimidation; and, for having acted under intimidation, he was charged and sent to prison for a fortnight for a conspiracy to induce others not to deal. What says the Lord Chief Baron? It is simply this. To be a victim of a conspiracy was, in the view of these Judges, the same thing as to be the author of the conspiracy. The man who refuses to deal through intimidation and under a fright, which he describes in Court, that man is a sufferer already, and to send him to prison for an offence indicates either a weakness, or a perversity, or an ignorance, or all three combined, such as I could not have believed possible from anything calling itself a Bench of Justice. Of course, any language of the Lord Chief Baron cannot possibly be exaggerated in this case. There is no evidence whatever. Now, Sir, it has been represented by the right hon. Gentleman the Chancellor of the Exchequer and by the hon. and learned Solicitor General for Ireland that there may have been a mistake in this case. Accidents will happen in the best-regulated families, and, consequently, there was a slight error of judgment, but not an error of judgment to form the basis of a charge on the part of the two Resident Magistrates, Mr. Gardiner and Mr. Redmond. What I have to show is this—that this was not an oversight on the part of the Judges. Their attention was expressly and repeatedly called to the distinction taken by the Lord Chief Baron. They did not suppose that the different kinds of conspiracy were confounded together, and that they in sentencing for one might just as well sentence for another. Here is the report, which I quote from *The Cork Examiner* of the 1st of June, of what was said on the occasion. Mr. Hodnett, who was acting on the part of the defendants, pointed out to the Judges that there was a total want of evidence, and that the Judges ought to dismiss the summons for want of evidence to show that the defendants entered into a criminal conspiracy to induce others not to supply goods. Observe that he put it before

them in the clearest terms. What said Mr. Gardiner? "We are both against you, Mr. Hodnett." These are the men to whom, to the disparagement of Judges and to the disparagement of the Superior Courts, you have committed practically in the most delicate and difficult matters the government of Ireland. However, Mr. Hodnett was not discouraged, and he went on to say—"I have made an argument, and I hope something will be said." So Mr. Gardiner proceeded to give his view of the case. He said his view of the case was this—

"The evidence went to show that these parties entered into a criminal conspiracy with one another, inasmuch as their acts in the refusing in nearly all the same language and terms showed the conspiracy they had entered into."

That is to say, he deliberately passed over what had been stated by Mr. Hodnett, who endeavoured to guide this blind man, and to describe to him the kind of conspiracy that was charged in the indictment. The patience of Mr. Hodnett was not yet exhausted, and he said—"That is not the charge. The charge is inducing other persons not to supply goods." Twice in the most distinct language that man could use these Judges were reminded that it was not a general charge before them of conspiracy, but a charge that they had induced other persons not to supply goods. Here is the final decision of Mr. Gardiner, and these are the Judges of whose legal competence the Government are satisfied. He said—"Each defendant should be taken with reference to the others." The Judge, having the case placed before him in the most distinct manner, did not pretend that he had the least scintilla of evidence to show that the defendants had committed a crime. He said that they might have committed a crime; and without any evidence and merely in consequence of an opinion in the sanctuary of his breast he condemned them. I have given you now what the Lord Chief Baron said and what the Resident Magistrate said. But what did the Government say? Observe, my point is this, and it is recognized on both sides. We are not dealing now with the Common Law of Conspiracy, which derives its criminal character from its being intended to injure a person or a class. That is not the offence charged. The offence charged by the Act is to compel or induce persons not to do certain things. I put a Question carefully framed in the sense of the Act. I asked first for the production of all these depositions in cases of conspiracy; and I then asked whether the right hon. Gentleman the Chief Secretary could assure the House that in every case where an individual had been convicted under the Criminal Law and Procedure (Ireland) Act the conspiracy to compel or induce some person not to deal with or to work for some other person in the ordinary course of trade, business, or occupation, evidence had been taken to prove, not only the refusal of the individual to work or to deal as above, but to prove that he was implicated in a conspiracy for some one of the said purposes—that is to say, for the purpose of inducing or compelling not to deal with or to work for; and the right hon. Gentleman, in answer to that Question gave me the most positive and distinct pledge. He said—"In all the cases described by the right hon. Gentleman evidence has been taken to prove the conspiracy referred to." I presume that he had in his hands at that moment the judgment of the Lord Chief Baron and the judgment of Mr. Justice Andrews—Baron Dowse saying nothing on the subject. He had in his hands the judgment of the Lord Chief Baron, which said there was no evidence whatever, and with that judgment in his hands he told me that evidence had been taken in every case to prove—what? Not to prove conspiracy, but to prove the conspiracy referred to.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): The right hon. Gentleman has confused dates. The answer I gave him was before the judgment was delivered.

MR. W. E. GLADSTONE: The right hon. Gentleman had not the judgment in his hands but he had the depositions. I have read the whole of these depositions, and they do not contain one single sentence upon any subject except that of the refusal to deal, unless in one single instance. And what is that? It is the sentence in which the constable, O'Donaghue, states that there was a meeting on the 4th of March, which meeting is supposed to have had some reference to some combination or other

for the purpose of exclusive dealing, and he deposes that he did not see any one of the defendants at that meeting. Was there ever such a case as this? The right hon. Gentleman had read the evidence. If he says there is evidence of the conspiracy referred to, let him produce it. It does not exist. He cannot produce it unless all the documents are falsified; and that which he made bold to state to this House, that the conspiracy to induce had evidence taken upon it, is totally contrary to the fact, and the right hon. Gentleman has to explain his conduct to the House. But the right hon. Gentleman, when we ask him why he has not fulfilled his pledges —this pledge and that pledge—his answer is—"Oh, that has been sufficiently threshed out already, and I cannot go over it again." Such was the language of the Government. Now, this is no question of a miscarriage or of a mistake of an inferior tribunal. It is not a question of mistaking the balance of evidence in regard to which human judgment may go wrong. Here there was no balance of evidence at all. There was, as we know now on the highest authority, no evidence whatever. There could not be any evidence, and there being no evidence, and the attention of the Judge having been called to the fact that there was no evidence, he deliberately refused to take notice of that call and went on to aggravate his conduct by refusing to state a case. Is this a specimen of the manner in which this Law of Conspiracy is administered in Ireland? I have to put Questions to the right hon. Gentleman besides that which I have put to him about himself. Are these two Resident Magistrates to continue to administer the Coercion Act? I presume that the Government have considered that subject. I do not undertake to say what is the cause of their misconduct—whether it is bias, whether it is bigotry—ignorance it cannot be, because the thing was placed twice before them—or whether it was feebleness of character. I do not enter into these things. I look at the facts, and say it is totally impossible to place confidence in such a Bench. I say the people of Ireland would be unworthy of the name of men if the spirit of the country did not revolt against such treatment. I am told that this is only one conspiracy case. Only one conspiracy case! Well, it is the only one in which we have been able to get the particulars. How many more are there of such cases? I challenge the right hon. Gentleman, and I make an appeal to him to lay upon the Table the depositions in all conspiracy cases. He has heard the statement made by an able lawyer in this House that he and his Friends have examined 700 out of 2,000 cases, and the conclusion they have come to is that the proceedings were a travesty and caricature of justice. We have got that, and having extracted from the right hon. Gentleman some particulars with regard to this special case, we find it to be as flagrant and scandalous as any in the days of Judge Jeffreys. [*Laughter.*] The right hon. and learned Lord Advocate (Mr. J. H. A. Macdonald) has a great faculty for laughter. I know very well that these men have not the power of Judge Jeffreys, and that we do not live in the time of Judge Jeffreys. How far is that the fault of the right hon. Gentleman? What the right hon. and learned Lord Advocate ought to appreciate is, that the denial of justice, which is the same thing in the case of a farthing as of a £1,000,000, is as gross, as palpable, and as shameful as ever disgraced the time of Judge Jeffreys. I therefore beg the right hon. Gentleman to produce the depositions in these cases. I do not know precisely the number of cases. We have no aid from the right hon. Gentleman. We have to find our way through a lengthened paper with about 2,000 names, out of which there are, I believe, about 150 charged with conspiracy. I think that the particulars of the painful case upon which I have detained the House so long show grounds for the necessity of my demand. If the right hon. Gentleman does not give us the particulars of the other cases we shall be compelled to conclude that the other cases are like this case; and if he disputes it, let him give us the means of judging. If the right hon. Gentleman does not give us the means of judging, if he is determined that Parliament shall be excluded from forming an opinion in cases of this kind, that will sustain my charge that it is the policy of the Government to oust the House of Commons from the performance of one of its most sacred duties—that of defending the weak and maintaining the sanctity of private

rights and private liberty. The right hon. Gentleman the Chancellor of the Exchequer, in his speech last night, contended that the policy of the Government was making progress, slow but sure. That I understand to be the upshot of the principal portions of his speech. What did he point to in support of that contention? He pointed to certain statistics about Boycotting about which I have to observe that those statistics are an invention of the Government. No such statistics ever were produced until the existence of the present Government. I entirely decline to accept them because I have no means of testing their accuracy. You might as well bring statistics from the moon as give us your statistics of Boycotting. There is no legal, moral, or social test by which we can judge them. You plead usage when usage is in your favour; but you depart from usage because your Returns have been prepared—I was almost about to have said manufactured for you—in order to show a considerable diminution of Boycotting. What the right hon. Gentleman really means is a diminution in the number of agrarian offences—not a very large diminution, but, I admit, a sensible and gratifying diminution. I will not enter into the question of the cause of that diminution. We do not believe that the cause is to be found either in the Crimes Act or in the mode in which it is applied. We think it is due to other and very different causes. I am not going to enter upon that distinct ground. If you like, I will take the fact upon your own showing, and upon your own argument, and assume that it is due to the Crimes Act. If that were so, would it be a proof of progress, would it be a proof that you were making your way to a settlement of the Irish question? I think not. Lord Spencer's triumph over agrarian outrage was tenfold what it has been under the right hon. Gentleman the Chief Secretary. I take it to have been, so far as external manifestations were concerned, one of the most complete ever brought about in the history of Executive Government. It was a marvellous reduction. I will not quote figures. The number of agrarian offences with which Lord Spencer had to deal was quoted as between 4,000 and 5,000, and it was reduced, I believe, to a figure below 1,000. But Lord Spencer did not think by that reduction he had made any way towards solving the Irish problem. And not only he did not think so, but the Tories did not think so. So far were they from recognizing in Lord Spencer's action a satisfactory condition of things as an argument for maintaining coercion that they declared that the policy of coercion had failed and ought to be abandoned. I know the right hon. Gentleman the Member for the Sleaford Division (Mr. Chaplin) said that he never approved the abandonment of the policy of Lord Spencer, for he thought that the policy of coercion ought to be maintained. The right hon. Gentleman nods his head; but his disapproval was an extremely cheap disapproval, because the right hon. Gentleman shared the spoils of the victors and took Office from the Government which disapproved of that policy. But what we contend is that the diminution of agrarian offences does not solve the Irish Question. What is the situation? What is the general condition of Ireland now? Ireland is in the hands of three powers—the Army, the Constabulary, and inferior tribunals of justice, tribunals which I do not hesitate in describing as inferior after the specimen we have had to-night, and no country in that condition by the side of a great and powerful State can be said to have made the least progress towards a satisfactory settlement. We whose Empire rests upon the goodwill and affection of every other people of which it is composed ought to blush up to our eyes when we find that Ireland is only to be kept by such means as those which the right hon. Gentleman the Chancellor of the Exchequer has described as a slow progress towards the solution of the Irish Question. I should like to know whether the right hon. Gentleman the Chancellor of the Exchequer has considered the position of the Constabulary. In many respects I look with very great respect on the history of the Constabulary. On most occasions they have performed their duty admirably well, making allowance for all difficulties; but I am by no means sure that that position is not getting undermined. I put this question to the right hon. Gentleman and his Colleagues—Have not collisions between the Constabulary and the people, have not the occasions upon which the Constabulary have resorted to force in their dealings with the people, been more numerous within the

last 12 months than they have been for a long, long period before? Will the right hon. Gentleman give us a Return stating the number of cases in which, during the last 12 months, the police have used their batons, and other Returns with respect to the use of their batons during other periods? I own I am not without apprehension that something like exasperation has grown up in the minds of the people with respect to the action of this force. At any rate, I think there is evidence which must lead one to wish that the Government could emphatically deny any such a suggestion, and can assure us that the relations between the Constabulary and the people at large are as good as they have been at other periods. I never heard until within the last 12 months or thereabouts that shopkeepers were refusing to serve them. That may be a small thing in amount, but it is menacing and ominous in its character. I confess, so far as I can judge of it, and owing to the action of the Government we can judge of it only very imperfectly, the position of the Constabulary shows that the progress of which the right hon. Gentleman the Chancellor of the Exchequer speaks is a progress not forwards, but backwards, as to the solution of the Irish Question. What are the evidences of failure on the other hand? The right hon. Gentleman has, I think, a difficult task before him when he has to meet the charges of the hon. Member for North-East Cork, who in February last defied the Government to contradict his statement that the Plan of Campaign was still holding its ground. Does the Plan of Campaign still hold its ground? You have been distinctly challenged to-night to say whether you can point out an instance in which the two great powers, the Government and the landlords, have triumphed over the Plan of Campaign. The National League we were told some time ago was a thing of the past, but it is now described by the right hon. Gentleman the Chancellor of the Exchequer as full of great vigour in every quarter of Ireland. I am told that the right hon. Gentleman used the word "ubiquitous" also. [Mr. GOSCHEN signified his assent.] Well, what has been their success with regard to the great purpose of this Bill? The charge of my right hon. Friend near me was that this Bill was introduced for the purpose of promoting and bringing about the collection of rent in Ireland and for the occupation of derelict farms. These are the two tests of the success of the Bill, and it will not be denied that they were the great objects of the measures. Nothing has been said, nothing has been told us, about the occupation of derelict farms, though something has been told us about the collection of rents. I will not quote the words used by the right hon. Gentleman on a former occasion in this House, but I think I do not misrepresent their general effect when I say that in general the landlords of Ireland would be happy to get rents even such as were offered by the Plan of Campaign, but that in most cases rent could not be collected. These are evidences of failure which it seems to me infinitely outweigh the assertions of slow and partial success made by the right hon. Gentleman the Chancellor of the Exchequer—Now, Sir, I should like to know this: The right hon. Gentleman the Chancellor of the Exchequer has challenged the words of this Motion. Does he think that the respect for law has increased among the people of Ireland generally since the enactment of the Crimes Act? Does he think that the estrangement of the people of Ireland, which is so much to be lamented, not from the people of England, but from the system of government enforced upon them—does he think that the estrangement has diminished? He does not seem ready to accept either of these challenges.

THE CHANCELLOR OF THE EXCHEQUER (Mr GOSCHEN) (St George's, Hanover Square): I do not wish to interrupt the right hon. Gentleman, and would not interrupt him but for his invitation. The statement in the Resolution is that we are undermining a respect for the law which did not exist, and are estranging the affections of the people of Ireland which we did not possess, during the time when the right hon. Gentleman was in Office.

MR. W. E. GLADSTONE: What the right hon. Gentleman has said does not in the slightest degree touch either of my challenges. My question was not whether respect for law existed or did not exist or in what degree, or what estrangement there had been or was not. My challenge was this. I believe now very strongly that the right hon. Gen-

tleman does not believe that respect for law has increased since the passing of the Crimes Act in the minds of the people at large, and that he does not believe that the people at large are less estranged now than before the passing of the Crimes Act.

MR. GOSCHEN: I do not wish again to interrupt the right hon. Gentleman, but he is attributing to me sentiments which I do not entertain. The right hon. Gentleman interprets my silence as assent. I dissent entirely from his statement. I believe there has been increased respect for law, and I believe that we should have begun to diminish the estrangement but for the persistent efforts of the right hon. Gentleman.

MR. W. E. GLADSTONE: Of all the practices of a Government in difficulties there is none so shabby as throwing upon the Opposition responsibility for the state of public affairs in Ireland. They are in Office; they have the whole powers of the State, and they can do what they please; they have got an arbitrary Act in their power. They have sent to prison all these people; and with all the power in their hands, what is the meaning of saying that the Opposition—not the Liberal Party, but a wing of the Liberal Party—is responsible for the state of things which exists? What I say to the contradiction of the right hon. Gentleman is this. Against his assertion of success I have given him proofs of failure, and so far as the estrangement is concerned—against the increasing estrangement from the injustice of the present system of government we have brought into action another powerful influence in diminishing the estrangement of the affections of the Irish people—within the last two years we have revived in their minds a confidence with which they believe the people of this country will put an end to whatever wrongs they still suffer. What we think is this, that there never was a period when the opposition was so sharply manifested between what is known as Dublin Castle and the people of Ireland. On the one hand, if you look at Ireland you will see the Government and its agents—powerful agencies, powerful political agencies, judicial agencies, and social agencies. On the other side you see the mass of the population, and every organ for the expression of opinion over which the mass of the population have influence, the Representatives of the people in this House, and the representatives of the people—a rather high class of people—in Municipal Corporations, and in almost every elective body, there are returned men from whom rise a unanimous chorus of protestation against the system on which the government is now carried on in Ireland. Nothing has been more striking in this respect than the fact, as we are told, that 19 Members out of the 86 Members who represent the national feeling have been sent to prison since the passing of the Crimes Act. Do you consider how grave that is? There was a time, Sir, in the history of this country when a Bill was introduced limiting the Prerogative of the Crown in making additions to the Peerage. They were to be reduced to a fixed number. On the occasion of that Bill Sir Robert Walpole said that in the history of this country the road to the Temple of Honour had theretofore lain through the Temple of Virtue, but it was now to lie—I believe that was the substance of his statement—through the dark paths of political intrigue. I do not think Sir Robert Walpole foresaw what would be the case of Ireland in 1888 with respect to the Temple of Honour? What in Ireland is now, in the hands of the present Government, the mode of access to the Temple of Honour? We have either reached, or we are coming very near to, a state of things in which, in the estimation of the Irish nation, the road to the Temple of Honour lies through the prison door. Nineteen Members of Parliament have been put into prison within 12 months, and the right hon. Gentleman the Chancellor of the Exchequer talks about progress towards the solution of the Irish problem. What does he think has been the effect of those imprisonments on the constituents of those 19 Members? Were you to give us the power of access to our constituencies, every one of those 19 Members, I venture to say, would be returned to this House with greater enthusiasm and larger majorities, because they have been the object of the wrath of the Government that now exists. Now, Sir, in making this Motion, we pay a debt of honour to the Government. I admit that we in this House should make known at least, if we cannot set forth in all particulars, the substance of the ac-

cusation we have to make against them, and which we intend to make against them in the country. We deal, Sir, as my right hon. Friend said, as in former years, with the nation, and not merely with the House—we have an appeal which the right hon. Gentleman and his Colleagues cannot take away from us. To that tribunal we will go, and the verdict of that tribunal we can foresee, and we are satisfied with it, and we rejoice in the sentence which we know it will and cannot but pronounce.

MR. SYDNEY GEDGE (Stockport) said, he wished to point out that although the right hon. Gentleman the Member for Midlothian did not appear to disapprove of resistance to the law when those who resisted it were the hon. Gentlemen below the Gangway opposite, he was very wrath with the hon. and gallant Gentleman the Member for North Armagh (Colonel Saunderson), because of his declaration that if the right hon. Gentleman's Home Rule Bill had been passed, they in the North of Ireland would certainly resist the law. But there was great difference between the case of the hon. Gentlemen below the Gangway and the case of the hon. and gallant Gentleman the Member for North Armagh. Hon. Gentlemen opposite had broken the law; they had committed offences for which they had been, in accordance with the law, brought before the magistrates and tried, and having been tried and convicted, had been sent to prison in accordance with the law, in many cases with an appeal of which they had availed themselves to the County Court Judges, which appeal had ended in every case in the appeal being confirmed. Well, which was the graver fact, that 19 Members of Parliament had been put in prison, because the Government had so willed it in order perhaps to prevent them from breaking the law or because they had broken the law, and that not a law made hundreds of years ago, but made in accordance with the will of the nation only last year? What was the use of the franchise being given to nearly every grown up man in the Kingdom; what was the use of a Dissolution of Parliament, and an appeal to the constituencies; what was the use of the people returning Representatives under the democratic form of Government of the country, if when the will of the country had been thus displayed, and Representatives were returned to represent them for a period of years, if the law made by those Representatives was to be set at defiance by Members of Parliament? Surely, those who made the laws, however much they might disapprove of them, should be the very first to set an example of obedience to them. Was it for a minority who did not like a particular law to say, "We don't like, and, therefore, we will disobey it?" If they took up that attitude, let them, at all events, accept the consequences like men. It was true that the hon. and gallant Gentleman the Member for North Armagh had declared that if the Home Rule Bill of the right hon. Gentleman the Member for Mid Lothian had been passed, he and the North of Ireland would have resisted the law, but how would he have done it? He would have resisted it taking his life in his hands. He would have said that a law had been passed which it was beyond the power of the British Parliament to pass, that British subjects under their own British Parliament should be turned over to the jurisdiction of a Parliament of another kind, and he would have resisted with his sword and his life in his hands, and would have tried as a last resource the right to rebel, and would have taken the consequences. The hon. and gallant Gentleman would not have come down to complain of being compelled to wear frieze clothes—to wear the prison costume—he would have taken the consequences if he was beaten, like a man. If successful, he would be in the position that other successful rebels had been in, he would be no longer a rebel but a patriot, for successful rebellion was not called treason. He (Mr. Gedge) maintained that if the loyal minority in Ireland had been taken from the protection of the Parliament under which they had been born, and handed over to the tender mercies of an Irish Parliament, they would have had every right, being prepared, as he had said, to take the consequences, to try conclusions in the only way left to them by meeting force with force. They would have died in a bold, magnanimous way, and would not have whimpered because they had to bear the penalty of their acts; and if they were to have comparisons of that kind made, at all events let the right hon. Gentleman's clients bear their fate like men

and not cry out that because they were Members of Parliament they should not be asked to wear the prison dress and submit to the ordinary prison discipline. What the right hon. Gentleman had said with regard to the frieze coat, he (Mr. Gedge) supposed would apply also to the absence of literature, to the plank bed, and to the prison diet. He did not suppose that a Gentleman who had been delicately brought up and accustomed to choice food was one who would be able to reconcile himself to the rough dietary of the prison—though prison food had been considered better than workhouse food—all these discomforts would be the same in the case of any man, peasant or gentleman, who was confined in gaol. In ordinary cases did a person who happened to be delicately brought up obtain better diet on that account? Not so. The Judge, in all probability, would tell the criminal who had been brought up as a gentleman, that the fact of his occupying such a position ought to have prevented him from falling into crime; and if the food and treatment were more severe upon a man on account of his being a gentleman, obviously it was all the more necessary for such as he to keep outside the prison walls. Sedition pure and simple was a political offence, and men in Ireland as well as in England who were guilty of that offence were treated as political prisoners, and not with the treatment meted out to ordinary criminals; but in the present case, though possibly under the guise of sedition, the ordinary law had been broken, and as a result the act was punished as all such breaches of the ordinary law would be punished so long as the country retained a United Parliament. The right hon. Gentleman the Member for Mid Lothian was very tender and sympathetic indeed on this question of prison clothing, and no doubt if it had suited him he would have been equally sympathising with Mr. Dillon on the question of prison skilly. He had a great deal of sympathy to spare for all those who had been convicted of offences against the Crimes Act, and he had a great deal of sympathy to spare for all tenants who had been evicted. It was to be regretted that the right hon. Gentleman had not more sympathy to spare for those who had been Boycotted in Ireland, and that he had not more sympathy to spare for that large class who could not get the rents that were justly due to them, many of whose tenants had money and were willing to pay, but were not allowed to do so by reason of the tyranny of the Plan of Campaign. In a passage in the Sacred Volume he had found an exact description of the condition of things brought about by such uncharitable methods as those of the Plan of Campaign, and would read the words—

"The tongue of the sucking child cleaveth to the roof of his mouth for thirst. The young children ask for bread, and no man bringeth it to them."

That had taken place over and over again, under the auspices of the National League, through the process which was called Boycotting, but which the right hon. Gentleman was pleased to term exclusive dealing. In the next verse he read—

"They that did feed delicately, were desolate in the streets; they that were brought up in scarlet, embrace dunghills."

Just in this very way, through the action of the Plan of Campaign, delicate women were rendered destitute and unable to procure those things which were absolutely necessary, not only for comfort, but for mere existence. It had been said that the hon. Member who had been last put in prison was not responsible for the Plan of Campaign, and that the National League had had very little to do with it; but allow him (Mr. Gedge) to read to the House—and he was not going back very far into ancient history—a few words which fell from the hon. Member on the 17th October, 1886, and reported in *United Ireland* on the 23rd of that month. The hon. Member said—

"Now, what is the policy that the National League lays before you? When we find an estate upon which the people are courageous and determined, we advise them to meet together, each estate by itself, and decide what is a reasonable and fair reduction to make; in some cases, 50 or 60 per cent would be reasonable, in some cases less, in some cases more."

He (Mr. Gedge) hoped the House would mark that—"More even than 60 per cent!"

"Let the tenants meet together, and decide what it is fair to ask, and if they are refused, there is but one course open to them if they are fighting according to the policy of brave men, that is, to pay a portion of the rent which they have offered to the landlord into the hands of two or three men whom they can trust. That must be done privately, and you must not in-

form the public where the money is placed Then every man who is evicted can get an allowance from them so long as he is out, and I believe that if the landlord sees that, he will not go very far. If you mean to fight really, you must put the money aside for two reasons—first, because you want the money to support the men who are first hit; and, secondly, because you want to prohibit traitors going behind your back. There is no way to deal with the traitor except to get his money under lock and key."

A traitor, be it observed, was one who paid his rent against the behest of the Plan of Campaign, which cared nothing whether a man had money in his pocket to pay or not. The hon. Member said—

"There is no way to deal with a traitor except to get his money under lock and key, and if you find he pays his rent, and betrays the organization, what will you do with him? Close upon his money, and use it for the organization."

Yes, close upon his money; but the hon. Gentleman who was now in gaol found that that was not quite sufficient to induce all those farmers who could pay their rent to refuse to do so for the sake of others who were unwilling to pay; and, therefore, on a later occasion, on the 23rd September last year, speaking in the Rotunda in Dublin, Mr. Dillon

"Denounced as a traitor and as a coward any man who stood aside, and declared that he and his children after him would be remembered in the days near at hand when Ireland would be a free nation."

What did the hon. Member mean by those words? How was this man who stood aside to be remembered? Why, said the hon. Member—

"If any man causes a prosecution to fall upon any of the Nationalist leaders, they will follow him to the ends of the earth, so that he will not find a refuge in Australia, America, or South America. If there is a man base enough to do this, I will denounce him from public platforms by name, and I pledge myself to the Government that that man's life will not be a happy one, either in Ireland or across the sea, and I say this with the intention of carrying out what I say."

Yes, any man who honestly paid his rent, because in doing so he had disobeyed the dictates of the National League, was to be held up to execration and treated in such a way that he would be followed to the ends of the earth, in fact, that such a wretch should not be suffered to live, or that, if he lived, he should linger out a wretched miserable life in exile under police protection. The hon. Gentleman who uttered these sentiments was the man on behalf of whom they were asked for sympathy, because he was put in prison for breaking the law, and because his sentence had been confirmed, and because he was subjected to the indignity of wearing frieze clothes. To what sort of indignity would this hon. Member have subjected this "traitor," as he called him, who honestly paid his rent? What was the wearing of frieze clothes in comparison with a man being made unhappy in this—not in the other, because the hon. Member could not reach the next world—but, at any rate, in the new world across the Pacific? He (Mr. Gedge) admitted that on the two former occasions on which the hon. Member was in prison he had not to wear prison clothes; but he should think that a true-hearted free Englishman or Irishman would look upon such a thing as that as mere fringe—what he would care most about would be the deprivation of his liberty—liberty to live outside stone walls, and to take his place in this House, and speak on behalf of his country. These were serious points and consequences and discomforts of which they could conceive a man of mark and magnanimity complaining; but Mr. Dillon had twice suffered those misfortunes at the hands of the right hon. Gentleman the Member for Mid Lothian, and yet they knew that the right hon Gentleman was once intensely fond of Mr. Dillon. He (Mr. Gedge) had desired to fortify his judgment with regard to the present question by reference to precedents, and he had therefore referred to the time, not so very long ago, when Mr. Dillon and the hon. Member for Cork had been put in prison by the right hon. Member for Mid Lothian. He had looked back last night at a series of speeches the right hon. Gentleman had delivered in Leeds at that time (October, 1881), and he had found therein statements by the right hon. Gentleman that he really thought were worth disinterring, not only for their intrinsic merit, as, of course, everything that the right hon. Gentleman said was valuable, not only for their copiousness and eloquence of language, but on account of their absolute applicability to the present time. On the 7th of October the right hon. Gentleman overwhelmed Mr. Dillon with his praises, not only as an honourable man, but on account of his conduct with regard to

the Land Act which had just been passed. The House would be good enough to bear that in mind, because, later on, he (Mr. Gedge) would have to refer to it again. They knew that the Land Act which had just been passed was to work a cure for all Irish grievances, the Act of 1870, which was to have done the same thing, having failed. The Act had not had the fair start which the right hon. Gentleman wished for, because the hon. Member for the City of Cork (Mr. Parnell) had rather set his face against it—the hon. Member did not like it, and, in the opinion of the right hon. Gentleman, was unwilling to give it a fair trial. The hon. Member had at that time stated that he hoped his friends would not make indiscriminate use of the Act, but that they were first to try a few test cases; and he was accused by the right hon. Gentleman the Member for Mid Lothian of intending to select test cases in which the rents were so moderate that the Judicial Court would not lower those rents, in order that the result might be that the hon. Member would direct the attention of farmers to this, and say—"We have taken a number of test cases, and we find the reductions so frivolous that it is not worth your while to go under the Act at all." That was the right hon. Gentleman's opinion as to the hon. Member for the City of Cork; but, for some reason or other, he thought Mr. Dillon took an opposite view. While the Act was being passed, Mr. Dillon had been locked up by the right hon. Gentleman. On the 7th of October, speaking at Leeds, the right hon. Gentleman gave Mr. Dillon the highest eulogies; he referred to him as an hon. Member

"Who was lately, in the discretion of the Government, confined in prison."

Was not that phrase, "discretion of the Government," touchingly euphemistic? One wondered what Mr. Dillon thought of this discretion. He said—

"He thought Mr. Dillon, alone among his Friends, had not intercepted the beneficent action of the Land Act."

That Act which, according to the right hon. Gentleman, gave the Irish people a splendid opportunity of becoming prosperous and happy. The right hon. Gentleman's statesmanship or his foresight was somewhat at fault, however, because, although he had been in power five years, he had not got Ireland into a state of prosperity, and he had found it necessary to resort to a strong Coercion Act in 1882, and again in 1886, to endeavour to upset everything in Ireland by giving that country a Parliament of its own. As a matter of fact, the right hon. Gentleman could only point to his different Acts as monuments of his failures. When his policy had so utterly failed, and his prophecies had proved so false, what right had he to expect to be accepted as a guide in the future? But to return to the right hon. Gentleman's speech at Leeds. After eulogizing Mr. Dillon, he had proceeded to slate the hon. Member for Cork, describing him in very bitter language as one who was not ashamed to preach the doctrine of public plunder. But what had the hon. Member done? The right hon. Gentleman had, under his Land Act, enabled the Land Courts to strike down the rents which had been fixed, a great many of them since the Act of 1870, which had given compensation for disturbance, and the passing of which was to make every tenant answerable for his contracts. What was the line which divided the right hon. Gentleman's plan embodied in his Land Act, from that of the hon. Member for Cork? The only difference between the two policies was that the right hon. Gentleman proposed to reduce rents by some 25 or 30 per cent, while the hon. Member for Cork proposed to reduce them by from 50 to 70 per cent. The right hon. Gentleman believed that it was quite justifiable to reduce them by 25 to 30 per cent, but thought that it was public plunder to reduce them by from 50 to 70 per cent. So strongly did the right hon. Gentleman feel this, that he used these words—

"Mr. Parnell's case I take frankly as exhibiting what I mean when I say the state of things in Ireland is coming to a question between the law on the one hand, and sheer lawlessness on the other."

Having shown Mr. Parnell's disloyalty to the Crown and hatred of England, as contrasted with O'Connell, and having reviled him for—

"Months ago telling the people that they ought to pay no rents they had contracted to pay—that they ought to pay rents only according to Griffith's valuation—in fact, to substitute an arbitrary standard for the standard to which they had themselves individually agreed,"

he said—

"Now Mr. Parnell has a new and enlarged gospel of public plunder to proclaim."

The hon. Member for the City of Cork, the right hon. Gentleman said, held that the landlord was entitled to nothing but the original value of the land before the spade was put into it. The right hon. Gentleman indignantly asked—

"Is it possible to describe proceedings of that kind in any words more just than the propagation of the gospel of sheer plunder?"

But worse was behind; the right hon. Gentleman had said that the hon. Member for the City of Cork was associated with people in America who recommended the use of dynamite, pointing out that the hon. Member himself had called the death at Salford by a dynamite explosion a practical joke. But, worst of all, the hon. Member for the City of Cork had used every effort he possibly could—and this seemed to be the chief offence of the hon. Member in the eyes of the right hon. Gentleman—to disparage, to discredit, and, if he possibly could, to destroy the Land Act, recommending test cases, instead of using the measure. This was the bitterest pill of all for the right hon. Gentleman to swallow, and in revenge he imprisoned Mr. Parnell. But meanwhile, on the 11th October, Mr. Dillon replied to the right hon. Gentleman, repudiating his eulogy, and saying that the right hon. Gentleman knew nothing about him. Mr. Dillon accused the right hon. Gentleman of having locked him up in Kilmainham "for opposing the Land Bill," because the Government did not wish to hear the truth, and so locked him up until the Land Act was safely through. He then denounced the right hon. Gentleman in regard to his action in the Transvaal, and for his dishonest public utterances to the Boers—his "black treachery towards them." Now, what did the right hon. Gentleman do? On the 13th of that month, after a Cabinet meeting, at which, no doubt, the matter was decided, the hon. Member for the City of Cork was arrested, and on the same evening the right hon. Gentleman announced the fact in this form at the Guildhall—

"The Government recognizes that it is charged in Ireland with the most arduous and solemn duties"—

and he (Mr. Gedge) trusted the House would take notice of these words, as they exactly represented the position the Government was now in—

"and those duties, to the best of its ability, it is determined to perform. Those are not words alone; our determination has been that they should be carried into acts, and even within the last few moments I have been informed that towards the vindication of law, of order, and the rights of property, of the freedom of the land, of the first elements of political life and civilization, the first step has been taken in the arrest of the man who, unhappily—from motives which I do not challenge, and with which I have nothing to do—has made himself beyond all others prominent in the attempt to destroy the authority of the law, and to substitute what would end in being nothing more nor less than an anarchical oppression exercised upon the people of Ireland."

Yes; the right hon. Gentleman would make the traitors less unhappy. There was this marked difference between the positions of the two Governments. Then, the Opposition supported the Government of the day manfully and loyally in maintaining the law; whereas the Opposition now supported those who were engaged in lawlessness, and Her Majesty's Government were hampered and embarrassed at every point by the action of the right hon. Gentleman and his Friends. In the speech at the Guildhall the right hon. Gentleman went on to tell the people of the country what was the crime of the hon. Member for the City of Cork, and he said that he had been trying to persuade the people of Ireland not to make a full trial of the Land Act. His words were—

"That with which we are struggling is a power which presumes to go between the people and the law, and which tells them how far, where, how, and on what terms they are to have the benefit of the law."

And for that, he said, he had locked up the hon. Member for the City of Cork—

"We fear," he said, "lest the people should one by one be terrified out of the exercise of their just constitutional rights, and be unhappily induced, through intimidation and no other motive, to make over their private liberty and the exercise of their civil rights into the hands of self-constituted dictators, and to place those rights under the unknown provisions of an unwritten law dictated by nothing but arbitrary will."

Would it be possible to describe the recent action of the hon. Member for East Mayo in more accurate language? But on the 15th of October Mr. Dillon and other Members were arrested for—

"Being reasonably suspected of having been guilty of a crime punishable by law—namely, inciting other persons to intimidate divers persons with a view to compel them to abstain from doing what they had a legal right to do—that was, to pay rents lawfully due by them."

Not only was the hon. Member for the City of Cork put into prison because he tried to persuade the people not to take advantage of the Land Act, but the hon. Member for East Mayo, whom the right hon. Gentleman had gone out of his way to praise when he believed he would give his aid in working the Act, was sent to prison because he rejected the eulogy of the right hon. Gentleman. At that time the right hon. Gentleman the Member for Mid Lothian and hon. Members below the Gangway had not formed themselves into that Mutual Admiration Society with which people were now so amused. The right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) was accused by hon. Gentlemen opposite with having locked up Mr. Dillon for political motives; but in the Spring of 1881 the right hon. Gentleman the Member for Mid Lothian locked him up without any trial at all, for, as he said, opposing the Land Act; and in October he locked him up again because he would not submit to the praises of the right hon. Gentleman, and he imprisoned the hon. Member for Cork because he had tried to induce the people of Ireland to test the Land Act. He would ask the House which was better, and which was worse—to lock up a man without trial on so-called suspicion, to lock him up avowedly because he took his own course in advising the people of Ireland not to exercise a legal right, or to lock up a man under a formal process of law, because, as in the case of Mr. Dillon, he had incited the people to disobey the law? Hon. and right hon. Gentlemen had now formed themselves into a Mutual Admiration Society, and eulogy had replaced the vituperation with which the right hon. Gentleman used to refer to hon. Gentlemen from Ireland below the Gangway. No doubt, the right hon. Gentleman attempted to justify his present attitude towards these men by asserting that their objects and methods were changed; but he (Mr. Gedge) found that on the 23rd of August last, Mr. Dillon, speaking at the Rotunda in Dublin, said they would go on their path showing no change in their attitude or policy; and he added—

"I say it deliberately, that we shall be less scrupulous in this—that whereas in the past we urged the tenantry to demand less than what was their just rights, I now tell them to double their demands."

This was the extent of the change—the land was to be brought down to prairie value. The men who taught these doctrines were no longer held up to blame; they were praised up to the skies, and spoken of as men who ought not to be put in prison, and who, if they were to be put in prison, should, at least, be permitted to wear their own trousers. The change was in right hon. Gentlemen opposite, not in the Irish Members, not in the Government and their supporters. Right hon. Gentlemen opposite said that those were unregenerate days, and somewhat irreverently explained the change that had taken place by saying that they had "found salvation." He would be slow to charge those who had accepted the Gospel of Christ with any of their words or acts in their unregenerate days. But what was the gospel which those right hon. Gentlemen had embraced? Was it the gospel of peace? No. It was the gospel of plunder, and upon a conversion of that kind he did not think it was incumbent upon them to offer the right hon. Gentleman and his Friends congratulation. One would expect from a recent convert a little humility—a sincere convert would, at any rate, have that virtue; but right hon. Gentlemen opposite would not put on sackcloth and ashes as they ought to do for their past sins. On the contrary, they said that when they did these things in the past they were in the right; but that when the present Government did the same things, they were deserving of the censure of every honest man. Last year the right hon. Gentleman the Member for Mid Lothian twice addressed meetings in London on this subject, and on the 19th of April, 1887, he said that—

"Neither then, nor at any time, had he given utterance to the sentiment, nor had he entertained the suspicion, that the followers of the hon. Member for the City of Cork were associated with crime."

And at Dr. Parker's house, on the 11th of May in the same year, addressing an admiring crowd of Nonconformist ministers, he said—

"He believed that their intention was dangerous and their pleas questionable; that they had a tendency to the production of crime; but that that was a totally different thing from complicity with crime."

The natural question was, how came it about that the right hon. Gentleman had imprisoned several of these Gentlemen whom, it now appeared, he did not believe to be associated with crime? In 1881, on introducing the Protection of Person and Property Act, the right hon. Gentleman said—

"No one can be arrested except on reasonable suspicion that he has been a principal or an accessory to some crime punishable by law."

It appeared, by the official Return made to the House on the 7th March, 1882, that the hon. Member for the City of Cork was imprisoned on reasonable suspicion of having been guilty as principal of a crime punishable by law—namely, of treasonable practices. Did not the right hon. Gentleman consider treason a crime? But he said more than this; he declared in this House in February, 1882, that, when the Government imprisoned Mr. Parnell, Mr. Dillon, and their Colleagues, they had acted not upon suspicion, but upon proof of their criminality. How could the right hon. Gentleman reconcile that with the statement that he never believed the Leaders of the League to have been associated with crime? He (Mr. Gedge) would not, like his right hon. Friend below the Gangway (Mr Chaplin), call down on himself the wrath of the right hon. Member for Mid Lothian by pleading as an excuse for these mutually contradictory statements that his memory was failing; he preferred to leave the right hon. Gentleman in the dilemma, and he might extricate himself from it as best he could. But when hon. Members on the Government side asked, in view of these precedents, why Her Majesty's Government should be open to censure because they had prosecuted Members of Parliament for crime, and because imprisonment had followed their conviction, they were met with the charge that they had been false to their pledges. A charge of that kind might assuredly be repelled in the strongest language they could command; and, therefore, he said it was absolutely false; neither he (Mr. Gedge) himself, nor any of the many Unionist candidates whose election addresses had come under his notice, had pledged himself against what was called wrongly coercion for Ireland. He had endeavoured to show that, whatever might be the conduct of Her Majesty's Government, it did not lie in the mouths of right hon. Gentlemen opposite to abuse them for having done their best to maintain the law in Ireland; he had endeavoured to show that the condition of things in Ireland with which the Government had to deal was accurately described by the language of the right hon. Gentleman the Member for Mid Lothian in 1881 and 1882, and that the Government had recourse to arrest not on simple suspicion, but on process of law, and that the law alone had been carried out. When he listened to the carefully prepared statement read by the right hon. Gentleman the Member for Newcastle-upon-Tyne attacking the Government, and saw how poor a case he made out, when he found that they were to be relegated to an appeal to the country for a ratification or otherwise of their acts, and when he remembered the just and Constitutional nature of those acts, he felt that, whatever might be said, the Government were secure. Did the right hon. Gentleman the Member for Newcastle-upon-Tyne know so little of the Constitution of the country, and the essential elements of freedom in all countries, as not to know that when once a Government had directed a prosecution its functions with regard to the case were determined? That was the case, however, and God forbid that the time should ever come when the Government of this country should interfere with the process of the law! It only remained to him now to thank the House for their attention to the reasons he had given for voting with the fullest confidence against the Motion of the right hon. Gentleman the Member for Newcastle-upon-Tyne.

MR. J. E. ELLIS (Nottingham, Rushcliffe) said, that he noticed that when the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) put his Motion on the Paper, the supporters of the Government, in the Press and elsewhere, congratulated themselves that now an opportunity had been given of showing the majority supporting the Government. He was not one of those who attached very great importance to the state of the figures in

the Division which was about to take place; that Division was only one of a series of incidents in the great struggle in which they were involved, and, whatever the decision might be that night, they would have to appeal elsewhere hereafter. Now, he was glad the right hon. Gentleman (Mr. John Morley) had placed the Motion on the Paper, because, although he was not fortunate enough to see any hon. or right hon. Members on the Treasury Bench, it was in that House that they were bound to bring their accusations against the Government with respect to the policy they were pursuing in Ireland. Although they might, and must, and should state on public platforms outside the feelings they entertained in the matter, still it was there, face to face with their antagonists, face to face with the Government and its supporters, that they were bound to make their accusations, and bring forward their proofs in support of their accusations. Now, anyone who took part in this debate, occupying, as he did, the humble position of an independent Member of the Opposition, was bound to be pretty definite, and to compress within reasonable limits any remarks he might have to make. He should endeavour to be brief; but, before he proceeded to cite cases of remarkable inaccuracy on the part of the Chief Secretary, and to give one or two illustrations of the manner in which these so-called Courts of Justice were conducted, he wished to refer to something which fell from the Chancellor of the Exchequer last night. He regretted that he had to do that in the right hon. Gentleman's absence, and in the absence of any Member of the Government. In his opinion, it was a matter of some reproach to the Government, at the time of a grave and great debate like that, that they should have absolutely no Representative present in the House. [The FIRST COMMISSIONER OF WORKS (Mr. Plunket) at that moment entered the House.] The Chancellor of the Exchequer (Mr. Goschen), in his speech last night, in the sepulchral tones which had been commented on by the hon. Member for North-East Cork (Mr. W. O'Brien), read an extract from the speech of Mr. Dillon delivered at Tullyallen. It was suggested to the right hon. Gentleman by the hon. Gentleman the Member for North-East Cork that he should read on—that he should read the context; but the right hon. Gentleman did not comply with that request. Now, he (Mr. J. E. Ellis) was going to supply the omission, and he ventured to say that after those hon. Members who did him the honour to listen to him had heard the words, they would think that they put a somewhat different complexion on the speech of Mr. Dillon from that which the Chancellor of the Exchequer (Mr. Goschen) had endeavoured to convey to the House. In that speech, for uttering which Mr. Dillon now lies in Dundalk Gaol, he used this language—

"What has been the curse of Ireland in the past, when time after time again the Leaders of the people have endeavoured to lead the poor tenantry of Ireland out of the land of bondage and the land of Egypt, even as Moses tried to lead the Israelites out of bondage in the past? What has been the curse of every previous movement? It has been the traitor, the man who, in the thickest of the fight, would turn his back upon his comrades, and basely betray the cause which he was pledged by every principle of honour to sustain. Looking back upon the history of our country, I come to the conclusion that if we could not place before our people some policy by which the traitor would be prevented breaking up our combinations, we could never hope to win our cause, and to do that which was also a dear policy to my heart."

The following were the words he particularly desired to draw the attention of the First Commissioner of Works (Mr. Plunket), who was the only Member of the Government present—namely:—

"Warn the Irish people from the methods they used to adopt towards traitors. What used they to do to traitors in the old times? They used to shoot them. I want to turn our people aside from that course; it is a course natural to desperate men. It is an idea which naturally occurs to men when they see they are betrayed; but it is a course which will not lead to victory, and I want to place before the people of Ireland a Christian and moderate plan by which they could put down this system of rack-renting and treachery to which the people of Ireland have been so long subjected, and emancipate this beautiful country from the rule of the cruellest, and most detestable, and most ruinous tyranny which ever brooded over any nation in the history of the world."

He (Mr. J. E. Ellis) thought it was hardly fair of the right hon. Gentleman the Chancellor of the Exchequer to pick out from what he had just quoted what Mr. Dillon said in regard to a "traitor." He maintained—and he should be unworthy of the honour of being called a

friend of Mr. Dillon if he did not in that House raise his humble tribute to Mr. Dillon in this matter—he maintained that he had never come across a man in the House or out of the House who endeavoured more fully and more urgently to win the people away from the bad courses to which their history had addicted them than did Mr. Dillon. He (Mr. J. E. Ellis) wished to refer for one moment to the speech which was made by the hon. Member for South Tyrone (Mr. T. W. Russell). The hon. Member observed—though his statement was immediately challenged by the hon. and learned Member for North Longford (Mr. T. M. Healy)—that the Government had only appointed three of the present Resident Magistrates in Ireland. The Chief Secretary (Mr. A. J. Balfour) or the hon. and learned Gentleman the Solicitor General for Ireland (Mr. Madden)—he (Mr. J. E. Ellis) forgot which—in his place that afternoon, in reply to a Question, admitted that 10 Resident Magistrates had been appointed by the present Government. If many of the statements which the hon. Member for South Tyrone (Mr. T. W. Russell) laid before the House last night in respect to the Massereene estate were as incorrect as his statement in repect to Resident Magistrates, the value of his speech must be judged by that circumstance. He wished to very warmly and earnestly support the protest which fell from the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), founded, as it was, upon the right hon. Gentleman's vast experience of Business in that House during the last 50 years, against the way in which they had been treated by Her Majesty's Government in the matter of information not only in regard to this debate, but in regard to other discussions which had taken place respecting their conduct of the government of Ireland. There had been an absolute and entire lack of official information laid before them in time to be of any use in this debate, and in such a manner that one could easily analyze it and understand it. The right hon. Gentleman (Mr. Goschen) quoted last night some figures respecting Boycotting. Surely it was one of the very first principles of fair play that when they had any controversy upon any subject the evidence should be in the hands of both Parties. It was surely disrespectful to the House that the figures with respect to Boycotting had not been laid before the House in such a form and at a time when hon. Members could analyze them, and make themselves masters of them. From the time the Government placed the Boycotting Return on the Table till now, they had persistently and consistently refused to give hon. Members the slightest means of testing their accuracy, and he maintained that the figures given in that Return were absolutely and entirely worthless for any purposes of discussion. The other night it was shown that a certain policeman, knowing that a barn had been burned down by accident, entered it in the Return as an outrage; because, as he said in his evidence in Court, there was no place in which he could enter it, except under the heading "outrage." No explanation of that was given by the Chief Secretary, except that, of course, now that the matter had come to be examined and sifted, and attention had been drawn to it in Parliament, care would be taken that the entry should be expunged and the Return made accurate. Then, as to the Return of increased sentences, the right hon. Gentleman the Chief Secretary went down to Battersea on the 17th of May, which was the day the Return was laid before the House, and used the Return in a most highly argumentative speech. From that day up to the 8th of June that Return was inaccessible to any Member of the House of Commons; no Member could ascertain for three weeks whether the Chief Secretary had used the Return when he made his speech. They only got the key of the Return on the 20th of June, and it turned out after all that there was not a single case of the 14 cases of increased sentences which came under the Crimes Act of the right hon. Gentleman the Member for Mid Lothian. The Chief Secretary, however, in his speech led everyone to suppose that he had found 14 cases during the Administration of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) in which the same thing had been done of which they had been complaining during this year—namely, increase of sentences under the Crimes Act. He would not dwell at length upon the most curious and

most singular course which had been pursued by this Administration in reference to the judgment in the Killeagh case, when words had fallen from the highest authority in the House—from Mr. Speaker in the Chair—intimating that when a Cabinet Minister had quoted from a document, he was bound, under certain circumstances, to lay that document on the Table. The First Lord of the Treasury (Mr. W. H. Smith) got up in his place, and in response to the right hon. Gentleman the Member for West Belfast (Mr. Sexton) said the Government must wait and see the Motion of the right hon. Member, and then they would decide what should be done. Only one inference could possibly be drawn from the extraordinary reluctance of the Government to give information to the House. The Government were afraid to let the House and the country know the facts with respect to their government of Ireland. Not only were the Government reluctant to let hon. Members know things, but the want of knowledge on the part of the Chief Secretary in respect to what was passing in Ireland was most extraordinary. The Member for North Manchester (Mr. Schwann) put a Question the other night which merely arose out of what he saw and heard at Dundalk last Wednesday. The hon. Member asked whether any instructions had recently been given to the Constabulary in Ireland with respect to interfering with assemblies after trials had taken place in a town. The Chief Secretary actually pleaded, as he often pleaded in answer to hon. Members, although the Question had been on the Paper the whole of the day, that he was unable to answer it, and he asked the hon. Member to defer his Question till another day. Surely the right of assembly was an important, an ancient, and Constitutional right; and if any instructions had been given to the Constabulary with respect to this matter during the last six months, as by the confession of the Chief Secretary they had, they ought to have been known to the right Gentleman—he ought to have been able to tell the House either that such instructions had been given or that they had not. The testimony was universal, and absolutely uncontradicted, that during the last six months the Constabulary had acted in regard to assemblages of persons in towns and in rural districts after trials in a manner which was perfectly unprecedented. Now he turned to a few illustrations of the inaccuracy which characterized the answers of the Chief Secretary in that House, to the remarkable subterfuges and evasions which had become with the right hon. Gentleman almost a fine art. He (Mr. J. E. Ellis) asked a Question on the 19th of April with respect to a certain District Inspector Shannon, at Ennis. He asked, in a case tried at Ennis on the 13th of April, arising out of the proceedings at Ennis on the 8th of April, when Mr. Shannon was instructing District Inspector Hill, who was conducting the prosecution for the Government, whether that gentleman was the private secretary of Colonel Turner, who was in command of the police and military on the 8th of April; whether during the proceedings a large body of soldiers were marched into Court with their rifles on their shoulder, and placed in one of the galleries; and what was the object of this military demonstration in a Court of Justice? The reply of the Chief Secretary was—

"District Inspector Shannon was not instructing District Inspector Hill, though he was undoubtedly giving him assistance. District Inspector Shannon is not Colonel Turner's private secretary. There was no military demonstration in Court; but some soldiers were placed in one of the galleries, in order to prevent a repetition of such disgraceful scenes of disorder as had on previous occasions occurred in the courthouse."—(3 *Hansard*, [324] 1712.)

The hon. Member for West Kerry (Mr. Edward Harrington) asked—

"What is Mr. Shannon's exact position?"

The right hon. Gentleman replied—

"I will not be sure, but I believe his title is Special Crimes Officer."

The hon. Member for West Kerry then said—

"Then he is under Colonel Turner?"

And the Chief Secretary answered, "naturally." He (Mr. J. E. Ellis) cared not whether this man was the private secretary to Colonel Turner, or crimes officer under Colonel Turner. He cared not whether there was a military demonstration in Court, or whether the soldiers were placed in the gallery. He imagined, however, that when Oliver Cromwell came to that House and that historical scene took place there was a military demonstration. He imagined that if

they saw a company of Her Majesty's soldiers in the galleries of that House they would call it a military demonstration. He would not quarrel with the right hon. Gentleman as to the use of the term; but he maintained that when soldiers filled the galleries of a Court of Justice, as they did at Ennis, it was a military demonstration—[Mr. T. HARRINGTON (Dublin, Harbour): With rifles in their hands.]—A most remarkable thing took place in Court. A report said—

"At this point a large body of the Derbyshire Infantry were marched into the Court with their rifles on shoulder, and occupied the gallery. Mr. Harrington said he did not know what the meaning of this military demonstration was for. There was a tradition of such a thing having been done in the days of John Philpott Curran. It was a monstrous thing that such a demonstration should take place, and he protested against it. Captain Keogh: The Court is in the hands of the Sheriff. Mr. Harrington: Oh, no, your worship; you have the full charge of your Court, and I must saddle you with the responsibility of their being here.—Captain Keogh; We are merely here in a judicial capacity, and we know nothing about the arrangements which are made by the Executive Authorities, and we will not interfere."

That was precisely what Colonel Carew said; he used language which he (Mr. J. E. Ellis) quoted in the House on the 15th of February, and which had never been contradicted. Colonel Carew said—

"I have received orders from the Government which I am not at liberty to disregard."

He now went to another case, a case which occurred at Wexford in October. It was a case which at the present day could only be found in Ireland. Mr. Healy said—

"Before this case commences I wish to ask is this an open Court? Mr. M'Leod: I think so.—Mr. Healy: I asked a policeman outside, and he said the Court was full. I observed that the galleries are perfectly empty, and I wish to ask why the people are kept out?—Mr. M'Leod: The Court is fairly constituted, and is an open Court. Mr. Healy: Then why are the people kept out?—Mr. M'Leod: I don't know anything about that. Mr. Healy: Is it by the order of the Court?—Mr. M'Leod: We have no specific order. Mr. Healy: I wish to ask is it by the order of the Court the public are kept out?—Mr. M'Leod: I gave no order at all."

There they had a presiding magistrate who did not regard himself as in full charge of his Court; he was under orders; he sat there in alliance with and under the orders of the Executive Government. He (Mr. J. E. Ellis) asked a Question a little later with respect to a certain Colonel Tynte, Resident Magistrate. He asked whether it was not a fact that he had actually tried and sentenced three men in their absence, the men being kept out of Court by the police? The right hon. Gentleman the Chief Secretary made a long explanation which would be found duly reported in *Hansard*. The Chief Secretary admitted that Colonel Tynte did try the men and give his decision in their absence. The men were kept out of the Court by the police. It was true the right hon. Gentleman explained that when the magistrate came to understand the matter he tried them over again. If, however, it had not been for the interposition of the counsel at the moment, they might not, and probably would not, have been tried over again. Then he came to a most extraordinary statement which the right hon. Gentleman made at Stalybridge, and it bore on the question of the accuracy of the right hon. Gentleman, which was the point on which he (Mr. J. E. Ellis) was addressing the House at the present moment. The right hon. Gentleman said at Stalybridge on the 24th of March that there had been no interference whatever with the freedom of the Press. He (Mr. J. E. Ellis) would not say that that was not literally true; but he maintained that with men of ordinary minds, and with people of ordinary common sense, the fact of the imprisonment of Mr. T. D. Sullivan, Mr. Alderman Hooper, Mr. Edward Harrington, Mr. Edward Walsh, and Mr. T. Harrington would be taken as evidence that the freedom of the Press had been interfered with during the right hon. Gentleman's administration. Then, at Battersea, the right hon. Gentleman said that no lads and poor men had been imprisoned for selling copies of Irish newspapers. The hon. Member for North Cork (Mr. Flynn) brought forward cases which the right hon. Gentleman was unable to contradict. The hon. Gentleman brought forward half-a-dozen cases in the City of Cork alone during a period of something like three months, in which poor men and lads were put in prison for selling newspapers.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): I contradicted them all categorically.

MR. J. E. ELLIS said, he listened to the right hon. Gentleman's answer with great respect, as he did to all his answers. The right hon. Gentleman said the men and boys were put in prison for a different offence altogether—namely, creating an obstruction in the streets. If a man selling *The Globe* outside Palace Yard was imprisoned, no one would say he was punished for creating an obstruction, but for selling a newspaper in the streets. Again, he (Mr. J. E. Ellis) asked the Chief Secretary on the 31st of May—

"Whether, immediately preceding the visit of the hon. Member for East Mayo (Mr. Dillon) to Newtownards at the end of April, the District Inspector and Head Constable of police visited the proprietress of the Ulster Hotel, and urged her not to let the hall on her premises (in which the farmers of the district usually hold their meetings) for any meeting at which the hon. Member was to be present; and whether, on the meeting of the farmers of the district addressed by the hon. Member being held elsewhere, constables were posted at the entrance to the room, and what was the object of this proceeding?"—(3 *Hansard* [326] 746-7.)

There were three statements in the question, that the District Inspector visited the proprietress of the hotel, that he urged her not to let the hall, and that constables were posted outside another hall where the meeting was eventually held. The right hon. Gentleman, on the authority of the District Inspector, replied that the District Inspector at Newtownards answered all the paragraphs of the Question in the negative. Another Question was asked on the 7th of June by the hon. Member for East Mayo (Mr. Dillon) on behalf of the hon. Member for South Down (Mr. M'Cartan) in regard to the very same circumstances. The right hon. Gentleman then admitted that the District Inspector did call upon the proprietress of the hotel, but denied that the District Inspector urged her not to let the hall, a point about which he (Mr. J. E. Ellis) had very considerable doubt. The right hon. Gentleman admitted also that constables were placed outside the other hall—that was to say, that on the 7th of June the right hon. Gentleman was forced to admit two out of three of the statements he had categorically denied on the 31st of May. [Mr. A. J. BALFOUR dissented.] The right hon. Gentleman shook his head; but shaking of the head would not dispose of the matter. Then the right hon. Gentleman was asked on April 19 a Question with respect to certain depositions, and he (Mr. J. E. Ellis) alluded to this, because it threw a most important light on the manner in which evidence was got up in Ireland. The right hon. Gentleman was asked if his attention had been called to a report in *The Freeman's Journal* of the 16th of April—

"In which it was stated that constable Watson was handed a deposition, dated 9th April, which he stated that he had signed, and owing to which three men were charged with stone throwing, and, whether he has noticed the following question and answer of the witness:—Mr. Harrington: I have only one question to ask you. In the deposition did you say one word about stones being thrown from buildings?—No, I did not."—(3 *Hansard*, [324] 1734-5.)

The Chief Secretary replied—

"The Question was only put down last night, and I have been, therefore, unable to receive a reply from Ireland to my communication; but I may say that the report in *The Freeman's Journal*, as to what has been passing in the Court House at Ennis, is in no way to be depended upon."—(*Ibid.*)

Why did the right hon. Gentleman go out of his way to try to discredit one of the ablest-conducted papers in Ireland? *The Irish Times*—the ardent supporters of the Government—of the same day contained this paragraph—

"Constable Watson was recalled, and stated, in reply to Mr. Harrington, that he had made a deposition in prosecuting a man for stone throwing on the Sunday in question, but in it he had said nothing about stones coming from the houses."

That threw a lurid light on the way in which depositions were got up in Ireland. He would not say anything about Mitchelstown—that had been pretty well dealt with. But the right hon. Gentleman the Chief Secretary might be sure that they would for long, and the English people would for long also, remember Mitchelstown. The right hon. Gentleman, in reply to the hon. Gentleman the Member for Huddersfield (Mr. Summers), made use of an expression with regard to certain proceedings which was most unwarrantable for a man in his high position. He withdrew the word "corrupt." He said—

"I am not sure that I used that word. I never intended to convey what that word usually means when I applied it to a tribunal—namely, that it had been bribed, or had sold the course of justice for a consideration. What I ought to have said was that the tribunal was incompetent and worthless."

The proceedings were only quashed by the Superior Court on technical grounds. The right hon. Gentleman had given his account of the proceedings; let hon. Members have copies of the depositions, which, as the Coroner remarked, were in the Crown Office. He now went on to give one or two illustrations of the proceedings in Courts in Ireland. There was a certain Resident Magistrate of the name of Meldon, a man whom he had dealt with before. Mr. Meldon adjudicated in a case at a place called Mullinahone on the 18th of May. The solicitor for the defendant asked—

"What were the instructions you got?—I refuse to answer. Mr. Bolton said that he did not object to the question being answered. Witness said that he would give the information, but he would not give the name of the person who gave the instructions. They were given by a superior officer in Waterford. Mr. Meldon said that this was wholly irrelevant, and he would not allow the question. The man should not give the instructions of his superior officer. Mr. Redmond argued that it was for the witness to claim the privilege, and not the Bench. The only form the Bench had was to tell the man that he could claim privilege.—Mr. Meldon (to the Petty Sessions clerk): We have heard enough of this. Read over the depositions. Mr. Redmond: I must say that this is a very summary way of disposing of the question.—Mr. Meldon: Well, we won't have any more of it.—Mr. Redmond: The highest Court in the Realm would not dispose of a question like that."

He (Mr. J. E. Ellis) contended that that was not the manner in which a Court of Justice should be conducted. He would only say, in conclusion, a very few words with respect to the case which was tried at Dundalk on Wednesday last—he felt bound, as a friend of Mr. Dillon's, to advert to it. He wished it were possible—he wished he had it in his power to bring before the mind of every hon. Member of the House a picture of what took place on that occasion. The Bench was filled on that occasion with men who were all landlords, or friends more or less of the governing landlord class in Ireland. The police were in charge of a man whose name was a bye-word down in County Kerry, a man named Supples, a man whose record as a landlord was one of the most infamous in Ireland. The Judge, Judge Kisbey, was a man who had been appointed recently by the right hon. Gentleman the Chief Secretary, and was a more or less violent political partizan. The observations the Judge made at the end of the proceedings struck him very forciby indeed. Mr. Dillon asked that the first case should be decided. The Judge remarked—

"If you had counsel to represent you, you would probably have acceded to the suggestion that we should try both, and give sentence after; but as you have not counsel I will do as you suggest. Give me a copy of the speech, and I will be back in a few minutes."

He (Mr. J. E. Ellis) had no hesitation in saying, in view of the demeanour of the Judge, that Judge Kisbey had made up his mind about the case before entering the Court. At Question time that day the hon. Member for Scarborough (Mr. Rowntree) made the statement, and it was unchallenged, that the policemen came down the street on that occasion, and with their rifles hit their hardest people who were doing no harm at all. He (Mr. J. E. Ellis) saw such a scene on that occasion which he should never forget. One of the most honourable of men was driven away to Dundalk Gaol, accompanied by a troop of Cavalry, and never were the Queen's uniforms seen to less advantage than on that occasion. The effect on his mind was to make him determine to work still harder, if possible, to overthrow the system which now obtained in Ireland. They cared comparatively little respecting the figures of the Division that night. They would go on undeterred by hon. and right hon. Gentlemen opposite. They believed that their cause was founded, as the hon. Member for North-East Cork (Mr. W. O'Brien), in his most eloquent language said, upon the reconciliation of the two people. There was nothing the Government brought forward, there was no speech made on that side, or on this side by supporters of the Government, but what was tainted by bitter and bygone hatred. He and his hon. Friends were sure that, by persevering steadily and unwaveringly in laying the facts before the people of the country, they were doing all they could to bring about a certain and not distant victory.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR): Sir, the hon. Gentleman who has just sat down (Mr. J. E. ELLIS) will, I am sure, attribute it to no discourtesy on my part if I do not occupy any of the comparatively small share of the debate which belongs to me—[*A laugh.*]—small, I mean, as compared with the task I have to perform—in dealing with the observations that he

has just laid before the House. He must be aware that I am the Minister chiefly arraigned by the Motion before the House, and as this is the second day of a debate which has been fruitful in remarkable speeches, it is impossible for me to deal with every point which has been raised in the course of this discussion; and I must consider myself fortunate if I can adequately meet the main points of the attack made against me and against the Government of which I am a Member. The right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone)—who, I am sorry to observe, has not yet returned to his place, but whose absence does not justify me in indefinitely deferring my observations—told us towards the end of his speech that this Motion was a debt of honour to the Government. He told us that the Opposition owed it to the Government to raise in this House the controversies which they had been raising out-of-doors, and to repeat it in the place where they could be answered face to face, accusations which they had not hesitated to make before their countrymen in different parts of the Kingdom. But I observed that the right hon. Gentleman abstained from repeating the numerous inaccurate statements on which he has chiefly relied when he has been talking to popular audiences. I noticed a very different tone and a much diminished recklessness of expression in the speech that he made to-night, as compared, for example, with the speech that he made to the Nonconformist ministers, with the speech which he made at Nottingham, with his speech at Dover, and with various other speeches that he has from time to time made to his supporters throughout the country. But if the right hon. Gentleman has been more accurate, I do not think that he has been more convincing. He has been driven from the broad errors of statement which he has made in the country to a minute legal examination of one particular decision of one particular pair of Resident Magistrates, on which he appears to rely for the whole of his indictment against the Government. Well, Sir, I shall return in a few minutes to that examination of the judgment of those two Resident Magistrates; I shall examine how far his allegations with regard to it are correct. I merely wish now to point out the remarkable change in the method of attack adopted by the right hon. Gentleman. The right hon. Gentleman, before he came to the main part of his speech, dealt with two or three subsidiary matters, on which I feel it my duty to offer a few words of comment. The first relates to the allegations made by the right hon. Gentleman with regard to the action of one of the most distinguished officers in the service of the Government—Colonel Turner—in connection with the suppressed meeting at Ennis. I understood the right hon. Gentleman's speech to be an apology to Colonel Turner. I do not know whether I misunderstood him; but I certainly understood that what he said was to be taken as an admission that he had originally made an erroneous statement in this House and in the country, and that he was glad, even at a late hour, to make some apology for what he had said. I think, however, that the right hon. Gentleman has very imperfectly conveyed to the House the full extent of the error of which he was guilty. The right hon. Gentleman accused Colonel Turner of having ordered a charge of Cavalry into a yard crowded with persons. That statement was originally made on a Motion for the Adjournment of the House; and that Motion for the Adjournment of the House was itself made without Notice to the Government. We then gave the House all the information that we had; and I believe that, from the statement we then made, it might have been clear to the right hon. Gentleman that no charge of Cavalry had been ordered. If hon. Members read the report in *Hansard*, they will see that my statement is borne out. Nevertheless, the right hon. Gentleman thought he might make some capital out of his statement, and therefore when he addressed the Nonconformist ministers he repeated it with emphasis. His statement was contradicted upon oath by Colonel Turner at the trial. The trial, as a matter of public notoriety, was reported in all the newspapers. I took, or rather I may say I made, an early opportunity of contradicting it in a speech which I delivered at Battersea, in which I traversed on official authority the statement of the right hon. Gentleman. I gave to it the most emphatic and categorical denial. The right

hon. Gentleman, I presume, did me the honour of reading my speech, as he referred subsequently to it. Nevertheless, although he had seen or might have seen Colonel Turner's contradiction at the trial, although he had seen my official contradiction at Battersea, the right hon. Gentleman declared subsequently at Hawarden that every statement he had made in his speech to the Nonconformist ministers was a statement to which he adhered. I ask what is the use of coming down to the House and making the kind of apology which he has made, buried and lost in the huge speech that he delivered this night, after having deliberately shut his eyes to my official contradiction—of what use is it to come down here and say that he admires Colonel Turner, that Colonel Turner is an estimable officer, that Colonel Turner is a man whose word is to be trusted, when this man, whose word he now says is to be trusted on oath, when given in a Court of law, the right hon. Gentleman not only did not trust but absolutely contradicted at Hawarden? That is a small matter, but it is a striking illustration of the method of right hon. Gentlemen on the Benches opposite when they have to deal with the character and action of officers of their Sovereign, who are only endeavouring, under unexampled difficulties, to enforce the law of this Kingdom in Ireland, and, as such, I think it is not undeserving of the notice which I have taken of it. Then the right hon. Gentleman proceeded to complain bitterly of the withholding of information by the Government from the House. He told us we had prevented the House from exercising its proper function of supervising the action of the Executive in Ireland by declining to lay before it information asked for. [Sir WILLIAM HARCOURT: Hear, hear!] The right hon. Gentleman the Member for Derby says "Hear, hear!" Well, the right hon. Gentleman was a leading Member of an Administration which was equally called in question by the Representatives of the Irish people. Did the right hon. Gentleman, and the right hon. Gentleman's Government, lay on the Table of the House more information or less than the present Government? They had a similar Act to administer. [Sir WILLIAM HARCOURT: No.] Well, I admit it was a more violent one. They had similar difficulties to contend with, and they had not similar but identical criticisms passed upon them by hon. Members on the Benches below the Gangway for precisely similar conduct. In these circumstances, then, I presume they would have laid on the Table the information they now think ought to be laid; and yet we are laying, and have laid, incomparably more information before the House than was ever laid before it by the right hon. Gentleman and his Friends. There has never been a Government in this country which has more taken Parliament into its confidence with regard to the administration of the law in Ireland than has the present Government of Her Majesty. And here let me notice how very difficult it is to please hon. Gentlemen opposite. Sometimes they say we do not give them information enough, and they apply for more. For example, they applied through the mouth of the hon. Member for West Belfast (Mr. Sexton) for statistics with regard to Boycotting. Well, at his request, and in obedience to it, we laid those statistics of Boycotting before the House.

MR. SEXTON (Belfast, W.): I asked for information as to the statistics of five counties, and you would not give it.

MR. A. J. BALFOUR: I think the hon. Member will see that that would have had made absolutely no difference. The hon. Member asked us to give the House information with regard to Boycotting. We did our best to give that information, and what is the gratitude with which it was received? The right hon. Gentleman gets up and tells us that he has looked at our statistics and that he thinks that they are totally untrustworthy, and does not give us the slightest thanks for what we have done. If that is the way in which the Government are met when they do attempt to give information with regard to the condition of Ireland to the House of a kind never given before by our Predecessors, what is the use of attempting to give it? I say that the information with regard to Boycotting is more accurate and more trustworthy than any conceivable statistics that could be prepared with regard to derelict farms, and yet the right hon. Gentleman rejects those statistics, and implores us to give

him information with regard to derelict farms. But that is not all. When we do give these statistics, how does he treat us? When the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) called for a very elaborate and difficult Return with regard to the action of the Crimes Act —a Return which Lord Spencer never thought of giving, or the right hon. Gentleman (Mr. W. E. Gladstone) himself when he was Prime Minister administering the Crimes Act—we had not the slightest objection to lay it on the Table of the House. We made every effort to prepare that Return in time; the printers were kept at work the whole of Saturday and Sunday, and we gave copies to Gentlemen on the Front Bench, and we provided copies for those whom we might suppose would distribute them among important speakers who might have to address the House, and the only gratitude we get from the right hon. Gentleman opposite is to be told that we have been either too stupid or too idle to prepare the Return; in a form that would be of any use to the House. This was not our Return, it was not of our devising; we did not contrive it; nor did we suppose that it would be of any special use to the House; it was the contrivance of right hon. Gentlemen on that Bench. They put a Motion down on the Table of the House, asking for certain particulars. Every single particular they asked for we have given them, and because a Return prepared after their own liking does not suit them, they say we have been too stupid or too idle to prepare it in an intelligible shape. But that is not the first time that this event has happened. The hon. Baronet the Member for the Cockermouth Division of Cumberland (Sir Wilfrid Lawson) asked for a Return about increased sentences. We gave the Return in the shape in which he asked for it, giving precisely the particulars he demanded, and immediately hon. Members on that side of the House, and the whole Liberal Press said that we had been suppressing certain details which, if given, would have put an entirely different complexion on the matter. I thought the complaint was unreasonable; but I gave way, and, having found that hon. Members opposite were not to be trusted to devise their own Return, I devised it for them; and the result is that, after these new particulars have been given, their case is a great deal worse than before. Now, I am prepared to do a great deal—almost anything—for hon. Members opposite; but if—to use the expression of the right hon. Gentleman opposite—they are too stupid or too idle to prepare the form of their own Return in an intelligible shape, I do not think it is my function to provide them either with industry or with intelligence. The right hon. Gentleman then proceeded to discuss Section 1 of the Crimes Act, which, as the House is aware, deals with secret inquiries in Ireland, and he attacked the Government for having drafted their clause so stupidly last year—stupidity occupied a large portion of the right hon. Gentleman's speech—that an enormous waste of time had been incurred in considering and amending that clause. Well, I daresay it was a bad clause, because we may have taken a bad model. The clause, as brought into the House, was a copy of the clause in the right hon. Gentleman's own Bill. I thought—perhaps I had too great an idea of the intelligence of the Radical Party—that that clause was not a bad clause, and as such we adopted it in our Bill. "But," says the right hon. Gentleman, "nobody objects to that clause." His phrase was——

MR. W. E. GLADSTONE: I did not say that; what I said was that the principle of the clause—that of secret inquiry—was not made the subject of serious debate.

MR. A. J. BALFOUR: I think the right hon. Gentleman will forgive me; but I imagine that what he said was that the principle of the clause was one which was generally accepted. That is my recollection. But, perhaps, he has not followed the recent course of Irish politics. If he has, he must know that the operation of this clause has had the effect of detecting and punishing those who have committed two horrible murders which otherwise would never have been detected. Nevertheless, the whole Irish Party—a very important section of the right hon. Gentleman's following—objected in the strongest manner to this principle of the clause, never describing it in Ireland otherwise than as the Star Chamber Clause. ["Hear, hear!"] I call the attention of the right hon. Gentleman to the notes of assent which come

from below the Gangway. The clause, as it stands in our Bill, is incomparably milder than the clause in the Act of 1882, which was one which the right hon. Gentleman said ought to be made a permanent part of the law of the land; and yet this clause, watered down as it is, and generally accepted, according to the right hon. Gentleman himself, is opposed by the whole strength of hon. Members below the Gangway, who are doing their best to prevent any man, be he who he may, from aiding in the discovery of criminals in Ireland by giving evidence under the section. Now, Sir, I pass to a more important matter. The right hon. Gentleman tells us we have been guilty of a grave dereliction of duty in proclaiming the county of Louth after Mr. Dillon had made his speech, and under that Proclamation in prosecuting Mr. Dillon. I listened with the utmost attention to the argument he put before the House; but I confess I utterly failed to understand its force.

An hon. MEMBER: You are stupid.

MR. A. J. BALFOUR: It may possibly be.

MR. SPEAKER: Order, order!

MR. A. J. BALFOUR: The right hon. Gentleman appears to take this view—that when Mr. Dillon made his speech Louth was not proclaimed under a certain section of the Act; any offence, therefore, which he committed would not in ordinary course be tried before a Crimes Court, and it was acting very unfairly to Mr. Dillon, after he had made his speech, to take any action by which he would be tried by a Court which he would not have expected to be tried by under ordinary circumstances. Well, Sir, all I can say is, that if I were, as I have been represented as being, the bitter political opponent of Mr. Dillon, I never would have used an argument like that. It implies that Mr. Dillon was perfectly prepared to violate the law so long as he knew that he would be tried before a jury, on which there were enormous odds that he would find one man, at all events, who would refuse to assent to a verdict of guilty; but that he would not have made that speech, and would not have committed that offence, had he known beforehand that he would have been tried by a Court which would convict him according to the evidence. Now, the right hon. Gentleman (Mr. W. E. Gladstone) described me in one part of his speech as being a coward.

An hon. MEMBER: So you are.

MR. W. E. GLADSTONE: I did not.

MR. A. J. BALFOUR: At all events, I think the right hon. Gentleman might have spared Mr. Dillon the same accusation. I most assuredly will not stand up in this House and say that Mr. Dillon was such a coward that, while he was prepared to break the law like the right hon. Gentleman the Member for Central Bradford (Mr. Shaw Lefevre), when he knew that the conditions of his trial would insure him immunity for his offence, he shrank from such a course when he knew he would be brought to justice. ["Hear, hear!"]

MR. ILLINGWORTH (Bradford, W.) [*Cries of* "Order!"]: In the absence of my right hon. Friend, will the right hon. Gentleman allow me to say—[*Renewed cries of* "Order!" *and* "Name!"] My right hon. Friend did not say that he would break the law in Ireland; what he did say was that he would go and say certain things if he had the chance of being tried by a jury.

MR. A. J. BALFOUR: I do not blame the hon. Member for interfering on behalf of his Colleague, but I confess I fail to understand the purport of his interruption, because it appears to me to exactly confirm what I said. His right hon. Colleague distinctly said last night that there was a particular offence against the law which he would be delighted to commit if tried by a jury, which he knew would disagree, but which he would not commit if he were not to be tried by a jury.

SIR WILLIAM HARCOURT: He never said anything of the kind.

MR. A. J. BALFOUR: I say he did say so.

MR. W. E. GLADSTONE: Not at all.

MR. A. J. BALFOUR: I say he did say so.

An Irish MEMBER: He did not.

MR. A. J. BALFOUR: Well, the right hon. Gentleman is not here to answer for himself; but it really is a passing allusion, and my point was—I am not going to trouble my head with the right hon. Gentleman the Member for Central Bradford—but I should not,

though I am accused of being opposed to Mr. Dillon, venture to make the defence for him that is made by Gentlemen, some of whom call themselves his Friends.

MR. W. E. GLADSTONE: I am with you on that point.

MR. A. J. BALFOUR: Then the right hon. Gentleman, having attacked the Government for their procedure in the matter of the Proclamation, proceeded to discuss the iniquity of subjecting Mr. Dillon to the indignity and hardship of ordinary criminal treatment. Well, Sir, I want to know when the right hon. Gentleman came to hold that view? This is not the first time that a Gentleman describing himself as an Irish politician has been put in prison for some offence against the law. They were and have been put in prison before my time, and by the right hon. Gentleman himself, and when they were put in prison they were subjected to precisely the same treatment. [*Cries of* "No!"] They were subjected to precisely the same treatment.

MR. T. M. HEALY: I say no.

MR. A. J. BALFOUR: I do not, of course, mean Gentlemen who were put in prison under Mr. Forster's Act; I am referring to the Act of 1882, and I am stating the exact truth.

MR. T. M. HEALY: That is not true either. [*Cries of* "Order!" *and* "Name!"]

MR. SPEAKER: Order, order! In the interests of the fair conduct of the debate, I trust that these constant running commentaries on the remarks of the right hon. Gentleman will cease, otherwise it will be impossible that the debate can proceed.

MR. A. J. BALFOUR: But, leaving out of account, as I am quite ready to do, the action of the right hon. Gentleman in regard to Irish politicians between the years 1882 and 1885, I want to know when this principle came into force which the right hon. Gentleman has advocated—that the cloth coat should receive one kind of treatment and the frieze coat another? I do not say that the doctrines of the right hon. Gentleman are wrong—I make no pronouncement upon that point; but I say that in subjecting Mr. Dillon to the ordinary treatment of an ordinary prisoner for an ordinary offence, I have followed out the invariable practice, not only of Ireland, but of England and Scotland. The right hon. Gentleman appears to believe that this is the first time that a man of education has been put in prison for an offence against the law of the country. Does he really believe that? Does he seriously hold that view? If he does, why has he, who has had certainly as great, if not greater, influence on the policy of the country for the last 50 years than any man now living, during which time prison discipline has been the subject of constant controversy—why has he never interfered in favour of educated men, in favour of the cloth coat as against the frieze coat? Why is this principle enunciated by him for the first time in the House of Commons when it suits the political game of the Radical Party? The right hon. Gentleman proceeded to a most elaborate legal discussion. [An hon. MEMBER: The priests.] Oh, yes; I forgot the priests. That was the part of his speech in which the right hon. Gentleman was good enough to describe me as a coward.

MR. W. E. GLADSTONE: Afraid.

MR. A. J. BALFOUR: What a happy ingenuity of distinction! The right hon. Gentleman does not say that I am a coward, but that I am afraid. The priests are not made first-class misdemeanants; they are misdemeanants simply, and are treated in the ordinary manner, but they have not, so far, been compelled to put on prison clothes.

MR. T. D. SULLIVAN (Dublin, College Green): Have they been compelled to pick oakum?

MR. A. J. BALFOUR: As far as I am concerned, they have been compelled to adopt every other prison regulation. It will be observed that it is impossible to treat a Catholic priest in the matter of dress on an equality with a layman. And for this reason—to strip a priest of a dress which he is compelled to wear by canonical rule is a very different operation from stripping a layman. The decision I came to may have been entirely wrong, but as in all cases in which I have had to decide between nicely-balanced alternatives in the administration of the Crimes Act in Ireland I decided on the side of mercy. Therefore, though, I admit, with considerable hesitation—and I am by no means certain at this moment that I am right—I decided that while priests convicted

of offences against the law in Ireland should in every respect be subjected to the same treatment as other prisoners, in the matter of dress, and in the matter of dress alone, I would make a distinction between them. I do not know whether the right hon. Gentleman is still disposed to describe that as cowardly. [An hon. MEMBER: You were afraid of the Pope.] Now, I pass to what was the main question, the main substance of the speech of the right hon. Gentleman—the Killeagh conspiracy; but I do not propose to follow the right hon. Gentleman through the minute examination of the statement of that case which he made to the House. I will only say, with all respect to him, and having listened carefully to his view of the law of criminal conspiracy in Ireland, that I could not recommend the right hon. Gentleman to the Lord Lieutenant as a person as to whose legal knowledge and competency he might be satisfied. For the right hon. Gentleman fell into the most extraordinary legal confusion on this point. He told us, and he told us truly, that there was a conspiracy—that the Judges had indicated that there was a conspiracy at Common Law by the persons who were condemned. ["No, no!"] Does the right hon. Gentleman contradict that?

SIR WILLIAM HARCOURT: Yes.

MR. A. J. BALFOUR: He read passages from the Chief Baron's Charge, and he might have read still stronger passages from the Charge of Baron Dowse; but those two learned Judges clearly indicated that in their opinion there was ample evidence of a conspiracy at Common Law against the police. But, said the right hon. Gentleman, these persons merely conspired together not to supply the police with goods, and he compared it with the case of 100 workmen in England who agree together not to work except for certain wages.

MR. W. E. GLADSTONE: No; to strike against a particular employer.

MR. A. J. BALFOUR: Against a particular employer.

MR. W. E. GLADSTONE: Quote me correctly. That was all I said.

MR. A. J. BALFOUR: He compared the case with that of 100 workmen in England who agree to strike against a particular employer. These men in England would not be condemned by English law, he said; therefore, how monstrous to give these peasants in Ireland, for a similar proceeding, a month's imprisonment. The right hon. Gentleman has been very badly coached by his legal adviser. I am sure he got his law from the right hon. Gentleman next him, the Member for Derby. What was the character of the conspiracy at Common Law of which these men would have been found guilty, according to Chief Baron Palles and Baron Dowse?

SIR WILLIAM HARCOURT: The Judges gave no such opinion.

MR. A. J. BALFOUR: The conspiracy at Common Law of which, in the opinion of the two Judges, they would have been found guilty.

MR. T. P. O'CONNOR (Liverpool, Scotland): The Judges did not say that.

MR. T. C. HARRINGTON: Quote the words.

SIR WILLIAM HARCOURT: Yes; quote.

MR. A. J. BALFOUR: I have attempted to disregard the interruptions as long as I could; but I do not think consecutive debate is encouraged by the remarks of the right hon. Gentleman, who might restrain himself, particularly as he will have an opportunity by-and-bye. But I say that, emphatically, any lawyer—I do not mean the right hon. Gentleman — reading the charges of Chief Baron Palles and Mr. Baron Dowse would conclude that those two learned Judges held that there was adequate evidence of a criminal conspiracy to go to a jury. And are we to be told that this conspiracy at Common Law is analogous to that of 100 workmen who strike against a particular employer?

MR. W. E. GLADSTONE: Why not?

MR. A. J. BALFOUR: I will tell the right hon. Gentleman why not. The conspiracy he described had not for its object the injury of any individual; but the conspiracy in Ireland had for its object to starve the police; and I appeal to any competent lawyer in this House whether, if these five men were brought up in England before a Judge and jury, and charged with that offence and on that evidence, they would not have been found guilty, and, if found guilty, whether they would not be liable to a penalty up to two years' imprisonment? And this is the parallel which

it was sought to be drawn between the imaginary cases in England and the real cases in Ireland, and it is on cases of that kind that he founds his great attack on the magistracy of Ireland. I confess I find it hard adequately to express to the House the feelings I have when I hear him use language of that kind. He takes one single case of a miscarriage of justice, a case of admitted difficulty, a case in which the prisoners, if not guilty of precisely the technical offence for which they were punishable under the Crimes Act, were undoubtedly guilty of an offence at Common Law of not less iniquity, and on that case, the solitary case he could find, after examining, with miscroscopic gaze, the whole record of the Government, he founds an attack on the Resident Magistrates of Ireland in which he ventures to compare them to Judge Jeffreys.

MR. W. E. GLADSTONE: I compared the act of these two magistrates with that of Judge Jeffreys.

MR. A. J. BALFOUR: He took these men as specimens, and I say that if he did not take them as specimens, but on their own merits, a more scandalous attack never was made in this House. He said that Lord Spencer—who appointed these men and certified to their legal knowledge—would not have defended these men if they had done these things. Well, the right hon. Gentleman knows his own friends best, and I think it is very likely that Lord Spencer would not have defended them. I think it likely that he would have thrown them to the wolves. I think it extremely likely that, finding they were attacked by a powerful Parliamentary Party, he would have sacrificed them without mercy on the altar of Parliamentary expedieney. ["Oh, oh!"] The right hon. Gentleman asked me if I was not going to dismiss them. I am not going to dismiss them; and I would seriously suggest to right hon. Gentlemen, who some day may have considerable legal patronage, that if they are going to dismiss every Judge or Justice whose decision is overruled by a Superior Court, they will have even more legal patronage than perhaps they desire. Well, but the right hon. Gentleman seemed to imagine that because this particular decision was overruled all decisions in similar cases would be equally overruled if they were tried. Then why were they not tried? The decision of the two Judges has given everybody tried in Ireland since February last the power to appeal. [An hon. MEMBER: Not at all.] If they did not appeal I presume it is because they have not got a case. I would remind the House that there have been an infinitely greater number of appeals to the County Courts than under Lord Spencer's Act, and, in addition, there has been the power since February to appeal to the Court of Exchequer. Yet this was literally the only case on which the Opposition thought it expedient to rely for their attack. [An hon. MEMBER: No.] I repeat that this is the only case on which they think it expedient to rely. The right hon. Gentleman asked me to lay the depositions before the House. Of course, I shall do nothing of the kind. There is an appeal to an impartial tribunal. Does the right hon. Gentleman think an appeal to this House is an appeal to an impartial legal tribunal? Has he so far forgotten Constitutional traditions that he thinks this House is by its nature and character capable of considering depositions and discussing legal questions which ought to be discussed before a Law Court? Does he think that this House, biased as it is by Party feeling, moved by Party passion, is the proper tribunal before which to lay an appeal which could be properly laid before the Court of Exchequer in Ireland? I wish to ask the House to consider this point. We are having an indictment of the whole administration of the Crimes Act in Ireland. They have had the opportunity of surveying the whole of the circumstances of everything done in Ireland since the Act was passed. They have been examining all that has occurred with a microscopic eye. They have—I do not know by what means—invented an infinity of accusations without any foundation in fact against the Government, and when these are boiled down to the smallest residuum of truth in them, what does it amount to? It amounts to this—that in one single case certain persons have been convicted of one kind of conspiracy, when in reality and in truth they were only guilty of another. And on this slender foundation the right hon. Gentleman and his Friends come down to the House to ask them to pass a Vote of Censure on the Government for the monstrous manner

in which justice is administered in Ireland. Is it pretended that a single innocent man has suffered? Is it pretended that a single man, not guilty of an offence against the law, has been punished? ["Yes!"] Then I should like to know the name. I know that in the cases brought forward by right hon. Gentlemen on this and previous occasions, not one man can by any stretch of imagination be declared innocent. The newsvendors who have been referred to so much were all warned, and let off if they promised not to offend again. The truth is, that these men would be the first to complain if they were called innocent. They are proud of their offence. I quite admit that this shows that the law is not respected in Ireland. These men were put in prison for selling *United Ireland*, for publishing illegal notices. Every one of them would have shrunk from denying that he was guilty of the offence with which he was charged. In those circumstances, how childish is it to say that the Act of last year is administered harshly—that the men we have put in prison do not deserve to be in prison. Further, I notice that when I go from the technical points of the right hon. Gentleman and come to the question of innocent or guilty, I meet with no denial. No man can venture to say that the people who are put in prison have not earned their imprisonment by their offences against the law, though doubtless hon. Gentlemen opposite object to the character of the law under which they were put in prison. If what the right hon. Gentleman has stated be true, if this miscarriage of justice is the only case which can be quoted with effect in this House, am I not justified in saying that no Government in this country, in Ireland, or in any other country in the world which has ever had to contend with an organized resistance to the law, with an organized desire to upset the Government of the country, with an organized determination to resist the payment of just debts—am I not justified in saying that no Government which has had to contend with circumstances of this kind has contended against it with less harshness, with less injustice, or less of anything that can be twisted into a miscarriage of justice? I do not object to the course of examination to which Her Majesty's Government is subjected by way of Questions. I could only wish that Gentlemen would examine their facts a little more accurately before they come down to ask Questions, that they would not boldly state, in the form of assertion in the country, the most astounding fictions with regard to the administration of law in Ireland. But of the examination itself, of the criticisms on the Government, I have not the slightest desire or reason to be afraid. What I object to is, that Gentlemen who are constantly straining at gnats never seem to find any difficulty in swallowing camels. What I object to is that Gentlemen come down to this House and make some small criticism against a constable or magistrate, but never ask a question which has for its object to check the real and appalling evil under which society in Ireland is at this moment suffering. I do not think a better example of this can be afforded than that of the Kingstons—the old man and his wife who were sentenced by the magistrates for taking illegal possession. That is the case brought forward by the right hon. Member for Newcastle-upon-Tyne. It was his stock instance, his classic example of the harshness of the administration of the law in Ireland. This old couple were put into prison by two magistrates because they took illegal possession. They were undoubtedly guilty of a breach of the law. I do not doubt if a similar breach of the law had been committed in London, Paris, or New York, these two old people would have been punished and we should have heard nothing about them. The case, however, was brought to my notice. I thought the magistrates were justified; but I also thought that, considering the circumstance of the case and that the landlord had himself appealed on behalf of the criminals, it would be well if they were released, and I am glad to say that my noble Friend the Lord Lieutenant took the same view and exercised the Prerogative of Mercy, and they were released. That, you will observe, is taken as the stock example of harsh treatment by the law of certain victims of landlordism. But who interferes with those far more pitiable and unhappy victims of the National League? The Lord Lieutenant interfered on behalf of those persons who have been legally convicted; but has the right hon. Member for Newcastle-upon-Tyne even in one single

case used his influence to interfere with the action of the League, when they have been inflicting far more brutal and infamous punishment on people not guilty, but absolutely innocent? I never heard of a case. I never heard that the right hon. Gentleman has used his influence with the Party below the Gangway, if he has any, to alleviate the destiny of these unhappy victims of Boycotting whom the National League has sentenced for some imaginary crime against their law. We know the cases of helpless women and girls, labourers who had large families to support, and begged to be allowed to work for employers who were Boycotted, but were refused. These incidents are not rare incidents of the reign of the National League. I should be glad to know whether the right hon. Gentleman can quote one occasion on which he has interfered to alleviate the unmerited and appalling sufferings of these unhappy victims of the tyranny of his allies. The only thing the right hon. Gentleman has ever done, so far as I know, in that direction was not to interfere to help these persons, but to use his whole political influence in this House and the country to denounce the policemen and magistrates and the Government who attempt to put an end to the vile system under which these cruelties are inflicted. I grant he has not done it for any love of the crimes which are committed. But I assert that he plays a poor and humiliating part in politics when he finds himself criticizing here and there the isolated action of this magistrate or that policeman, when the whole policy of his allies, on whom depends his position, is incomparably more barbarous and more cruel than anything ever done by all the magistrates and all the policemen in the world. But, Sir, I am told that whatever my views may be upon the action of the National League in Ireland, it is very wrong to attack men like Mr. Dillon or the hon. Member for North-East Cork—because, forsooth, these Gentlemen are politicians and their offences are political offences, that they are to be treated in a totally different manner from ordinary offenders against the ordinary law. Now, I could quote, but I will not quote, the opinions of the right hon. Gentleman the Member for Derby (Sir William Harcourt) and the right hon. Baronet the Member for the Bridgeton Division of Glasgow (Sir George Trevelyan) on the subject of political offences when they were in Office. I am rather bored with proving that the right hon. Member for Derby does not hold the same conviction now that he did five years ago. I think the House will take these quotations as read. Without, therefore, quoting these ancient and musty documents I come to the merits of the case. There are three methods, as far as I understand, of furthering political action in Ireland, and of carrying out the great object of making Ireland a nation. There is rebellion, which is the course recommended by the Fenians, and which would, no doubt, be gladly followed by the Gaelic Association and others. There is the method of assassination, and there is the method which I will describe roughly as the Plan of Campaign. These are the three methods by which the modern Irish patriot desires to free his enslaved country. With regard to open and armed resistance I have nothing to say, but I should like to ask the right hon. Gentleman what he thinks of political assassination. If a crime is not a crime because its object is political, I presume there is no offence more political than a political assassination. There is no personal end to be gained by the assassination, and his object is clearly of a political character. I have always heard that the right hon. Gentleman was of opinion that when he was in Office there were a certain number of persons in America and in Ireland who held the opinion, rightly or wrongly, that nothing would be much better for the world than if the right hon. Gentleman were no longer in it. Had they confined themselves to holding that opinion they would have been politicians; but when they proceed to devise schemes of assassination I want to know whether they did or did not cease to be politicians? In my opinion they deserved to be hanged like dogs when they were caught; but, if I understand the modern doctrine of the Radical Party, the end justifies the means. If I rightly understand the theory of the Gladstone-Irish Party, these persons would be political offenders because their object was not a personal but a political object. Let us take a particular case. I should like to ask those who hold this theory of poli-

tical crime what they think of this instance of it. In last Autumn, it will be in the recollection of the House, a certain policeman named Whelehan was murdered in his attempt to save the life of a "landgrabber," as he was called, named Sexton. It was given in evidence at the trial by one of the witnesses for the Crown that he was moved to attempt the crime of murdering Sexton by a speech delivered by Mr. Dillon. ["Oh, oh!"] Perhaps the House will allow me to read the evidence, and I will quote it from *The Freeman's Journal*. He deposed that on the evening of the Ennis meeting, which was addressed by Mr. Dillon, he had a conversation with Thomas Leary, who said that in consequence of that speech he had determined to postpone the raid which he had been talking about because the landgrabbers must first be put down, and the first landgrabber to be put down was Thomas Sexton. You therefore have this chain of evidence. Mr. Dillon makes a speech, which I presume is a political speech, saying that he will not tolerate a grabber. A man who had determined on certain raids in the county was influenced by what Mr. Dillon said. He then determined to attack the first grabber he met. This happened to be Sexton, who was protected by the police, and the protection of whose life cost the life of Constable Whelehan.

Mr. J. E. REDMOND (Wexford, N.): May I ask the right hon. Gentleman whether the evidence which he has just read is the evidence of a witness who swore that for six years he had been in the pay of the police?

Mr. A. J. BALFOUR: I gave way to the hon. Gentleman, thinking in my innocence that he was going to make a relevant interruption. The question which I want to ask the House is this. If Mr. Dillon made a political speech in which he said he would no longer tolerate landgrabbers, was it a political crime to attempt to murder Sexton, who was a landgrabber? The right hon. Gentleman opposite seems to think it was not. Then, perhaps, he will explain how it is that it is a political offence to urge the people of Ireland to destroy landgrabbers while it is not a political offence to proceed to carry out the recommendation. I heard an interruption just now to the effect that Mr. Dillon did not ask the Irish people to destroy landgrabbers. I admit that that was an inaccurate expression on my part. Mr. Dillon takes a different view. It is enough for him that a landgrabber should be Boycotted, that he should be ruined and starved; that his family should be involved in the ruin of the master of the house; that he should be refused the necessaries of existence during life and burial after death. That was enough, I know, for Mr. Dillon and for the hon. Member for North-East Cork. That is all Mr. Dillon asks, and he does not call that crime. But can he complain if some of his disciples are more advanced than their master, and go on to put an end to life? If he cannot deny that, then the advice he gave was as much an incitement to crime as any advice ever given. I have here an interesting extract of a speech delivered at Youghal by the hon. Member for North-East Cork on the 7th of November last year, in which he said that they had given up the use of fire-arms for the more powerful weapon of Boycotting, and that landlords and landgrabbers feared boycotting more than shooting. Observe how slight is the difference—in my opinion at all events—between the doctrines preached by the hon. Member for North-East Cork and by Mr. Dillon and the doctrines which the men who tried to murder Sexton learnt from their speeches. In order that I may fully justify the action of the Government it is necessary that I should say a few words about the Plan of Campaign. The hon. Member for North-East Cork told us there are no cases in which the Plan of Campaign has been defeated. I can, however, recall to mind three cases in which it has been absolutely smashed—namely, on the Ormsby estate, County Mayo, on the Banon Estate at Broughall, King's County, and on the estate of Lord Massereene.

Mr. W. O'BRIEN: Two of these estates I never heard of in my life.

Mr. A. J. BALFOUR: That shows that the hon. Member has not followed the recent course of Irish politics. I do not propose to go into those cases now, because the question whether the Plan of Campaign has failed or succeeded is scarcely relevant to the issue before us. When hon. Members defend the Plan of Campaign have they really considered the circumstances of the Irish tenant? He is at this moment the spoilt child of

legislation. No tenantry on the face of the earth has half the protection which the Irish tenant enjoys at this moment. The right hon. Gentleman the Member for Newcastle told the House that when the landlord evicted a tenant he confiscated the tenant's property. There is no power on the part of the landlord to confiscate any tenant's property. The tenant may go into Court and have a fair rent fixed, and, if evicted, he can carry away every 6*d.* worth of his property. I admit that tenants may have to leave their farms without carrying anything out of them. But whose fault is that? It is the fault of the National League. Who is it that turns out a tenant a beggar on the road-side? The National League. It is the National League which declares a farm Boycotted; it is the National League which decides when a tenant is evicted for non-payment of two or three years' rent that he shall not be allowed to realize one 6*d.* of his tenant right, which is often worth 20 years' purchase. The wrong is not on the part of the landlord, but of the National League. It is said that the Plan of Campaign is moral. To determine this question you must consider it as a whole. The right hon. Gentleman has simply considered how far the terms under the Plan of Campaign are different from the terms fixed by the Land Court. Is that the way to test the morality of the transaction? I absolutely deny that such a comparison is in any sense relative to the question. As we are on the morality of the Plan of Campaign, and as I believe I shall be followed by the hon. and learned Member for North Longford (Mr. T. M. Healy), I should like to read an extract from a speech of his, delivered on the 7th of December, 1886. He said—

> "For my part, when I hear the question of morality discussed in anything that concerns the landlord faction, I must say that the morality of any means of putting them down would concern me very little."

I say that the Plan of Campaign prevents all settlements between landlord and tenant, or, at any rate, makes them extremely difficult. All settlements are in the nature of compromise. The Plan of Campaign absolutely excludes compromise, because the money has been paid into the hands of a banker, and the tenants have no further control over it. However much they may desire to come to terms with their landlord, they can only do so if they pay the rent twice over, first to the banker under the Plan of Campaign, and then to the landlord. Therefore there is no room for compromise.

MR. W. O'BRIEN: I beg the right hon. Gentleman's pardon. Upon every estate there is an estate committee appointed by the tenant, with entire control and jurisdiction over the funds, and, as a matter of fact, that estate committee has over and over again terminated disputes by a compromise.

MR. A. J. BALFOUR: At all events, the compromise is a thing to be decided by the Members of the National League, who determine it upon political grounds, and it is not decided between the tenant and the landlord, nor is it left to them to make their own terms. My next complaint against the Plan of Campaign is, that is involves infinite suffering to the tenants. Take the case of the Herbertstown estate, which consists of the finest grazing land in Ireland. In an unhappy moment the tenants on that estate were induced to adopt the Plan of Campaign and they were all evicted. The landlord is now farming the whole of the land, and farming it at a profit. There has not been for many years such a spring for the Irish tenants. For many years there has been a great strain upon the Irish tenants. But the price of stock has now risen greatly, and the farmers who hold stock are able to make profits. From these profits every man who has adopted the Plan of Campaign is excluded. Sometimes they see their holdings falling into neglect which years cannot repair. Sometimes they see the landlord, sometimes other persons, reap the profits which they might have reaped themselves. I have said that the Plan of Campaign has broken down on three estates; on other estates where it has succeeded, it has worked nothing but mischief. On the Kingston estate, instead of the settlements which the tenants would have got if they went into Court or arranged with their landlord, each according to his circumstances, there has been an all-round reduction of the same average amount, which has been far too great in some cases and far too little in others. My third complaint against the Plan of Campaign is that it compels solvent tenants not to pay their rent. A careful study of the Irish Press

has convinced me of the fact that in Ireland the man who does not pay his rent to his landlord, though he may be able to do so—the man who does not fulfil his obligations, if he be a member of the National League, is described as a patriot. In England we describe such a man by a less august title—we call him a swindler, and my great complaint against the Plan of Campaign is that it is an immoral combination against paying rent. It involves outrage in its very method; it involves compulsion, it involves tyranny, it involves Boycotting, it involves preventing derelict farms from being let. I do not presume that this statement can be disputed. ["Yes."] If it can I should like to know how. Does the hon. Gentleman deny that the essence of the Plan of Campaign is that if a landlord turns out a tenant, no one else can be allowed to go on to the farm? That I call Boycotting a farm. Every one knows that Boycotting farms is the very essence of the policy of hon. Gentlemen opposite. Does anybody realize the full evil to the industry of agriculture in Ireland which is now being effected by Boycotting landgrabbers? What does it amount to? It amounts to keeping the man who cannot work a farm in the farm and keeping out the man who can. The hon. Member talks as if the process of Boycotting farms was confined to men who had been turned out of their farms for unjust rent. There never could be a grosser delusion. I hope the House will allow me to read one very short case, which shows that Land League interference is not confined to cases of ordinary tenancies. It is a case in Clare. A property in Clare was sold in the Bankruptcy Court. While the sale was going on the land was let for grazing to four persons who had never been connected with the estate, on the distinct understanding that it was merely a temporary arrangement. The sale was effected, and three out of the former tenants stuck to their bargain. They were grazing tenants, and they at once gave up possession. But the fourth of those grazing tenants declined to do so, and the purchaser was denounced as a landgrabber—the purchaser, that is, of an estate in the Court of Bankruptcy, where four persons had been taken on temporarily as tenants. Boycotting notices were posted up, and the man who acted for the purchaser was fired at, and this interesting notice was published—

> "Men of gallant Tipperary, Limerick, and historic Clare,—You are called upon by the National League not to deal or hold any intercourse with Martin Corbet under pain of death for the disgrace he has caused under the patronage of that infamous and blood-stained scoundrel Balfour, by grabbing a farm in the County Clare, and creating an unprecedented act by paying twenty-three years' purchase to the aid of the Crimes Act,"

and so on. And the result of that was the outrage that I have described. Now, let the House observe that there was an outrage committed simply and solely because the National League chose to describe as a landgrabber a man who had legitimately purchased land let temporarily to a tenant who, without a shadow of justification, in spite of his bargain chose to put in a claim to perpetual possession.

MR. EDWARD HARRINGTON (Kerry, W.): I have only to ask the right hon. Gentleman a simple question. He has chosen to connect the National League with the case he has read to the House. I will ask him, as I am responsible for the organization, as I pledged myself to the House that in no case except where a tenant has been unjustly evicted for an unjust rent, or where he has surrendered his farm through an excessive rent, and he could not pay, has that organization ever taken up a case—I will ask him to give a single proof of the statement he has made.

MR. A. J. BALFOUR: The particular case in question was in the county of Clare, and the League is suppressed in Clare. The farm was Boycotted in the name of the National League.

MR. T. M. HEALY (Longford, N.) rose amid loud cries of "Order!" in the midst of which he resumed his seat.

MR. A. J. BALFOUR: Time is so limited that I cannot give any proof.

MR. T. M. HEALY: I think the right hon. Gentleman should state, as he says the League supported this action, that I myself, at the National League meeting in Dublin, made a speech in support of the alleged landgrabber.

MR. A. J. BALFOUR: What is the use of the hon. and learned Gentleman

making a speech in Dublin in favour of the landgrabber when the thing occurred in Clare?

MR. T. M. HEALY: The local branch denounced it, too.

MR. A. J. BALFOUR: I want to point out to the House that this system of opposing landgrabbing is not only directed against the landlords, but is absolutely fatal to the settlement of the Land Question in Ireland. You talk about settling the Land Question in Ireland by purchase. How do you mean to settle the Land Question by purchase if you are going to permit this Boycotting of derelict farms, if you allow the Irish people to think they act rightly when they shoot at men who take farms from which insolvent tenants have been expelled. How on earth will you ever be able to carry out any system of land purchase with tolerable success if you allow practices to go on like that in the case I have referred to? You will never be able to settle the Land Question or any other question in Ireland unless you establish the reign of law. Surely, we can now judge of so-called political offences of this character? We can now judge how far Mr. Dillon is a political offender, and how far the hon. Member for North-East Cork is a political offender. At the door of these so-called political offenders lies all the suffering which has occurred in connection with Boycotted farms, and all the contests that have been carried on in this fatal spirit to landlord and tenant. They have directly preached Boycotting, and they have indirectly preached assassination. I confess I sometimes reflect on what would be thought of these modern Irish patriots by their predecessors. The cause of Ireland has been vindicated in former days by arms and by eloquence, and I ask where eloquence and arms have again and again failed is petty larceny likely to succeed? I have but little more to say. I have cut my observations as short as I could; but I should like to ask whether those who framed this Resolution were really serious. Did they seriously believe that Irish disrespect for the law began with the present Administration? I recollect a speech of Mr. Dillon's in 1882, in which he asked—"Who is there that understands, or pretends to understand, the peasantry of Ireland, and will say that crime and outrage have not the sympathy of the Irish peasantry?" That was the opinion of Mr. Dillon in 1882, and if that opinion was well founded in 1882, how can Mr. Dillon's Friends below and above the Gangway come down to the House and pretend to say that we are responsible for the fact that the Irish peasantry at this moment are in sympathy with crime and outrage? I admit, and I admit it with the deepest regret, that the law is not loved in Ireland for its own sake. I deny absolutely, however, that we are responsible for that. It is the result of a long and melancholy history—a history I would gladly see brought to an end. When you attempt to conclude from their dislike for and want of sympathy with the law that the Crimes Act is not necessary, have you considered the close connection between the exercise of the law and the repression of crime? I do not care how you study the question or how you handle the facts. If you look at Irish history for the last 30 years you will find that where the law has been vigorously enforced, where you have an Act under which justice is administered according to the evidence, there crime diminishes; and as soon as the pressure of the law is removed, and the criminal finds that the machinery of the law is defective, there you will find crime increase. In vain you will try to associate crime with eviction or any other circumstance. The repression of crime in Ireland depends upon the Criminal Law, and upon the Criminal Law alone. You diminished it when you passed your Criminal Act of 1871. It sprang up when you relaxed it in 1875. It rose to an enormous height in 1880. It sank in 1882. It rose again when the Act came to an end, and it has again sunk under the new Act. If you repealed this Act, of course it would rise again. Now, Sir, the right hon. Gentleman the Member for Mid Lothian has disputed or doubted the improvement that has occurred in the country since the Crimes Act was passed. I see no ground to minimize or doubt the magnitude of that improvement. The right hon. Gentleman began by asking me whether there has been a crisis imminent in the police. Perhaps he will allow me to re-assure him on that point. He seemed to think that the police were resigning in large numbers and were

showing a discontent they had never shown before. Such is not the case. There has never been a time in recent years in which there were fewer resignations from any cause in the police, or in which there were a larger number of candidates anxious to enter the police. Never was there a time when the police were a more loyal, a more contented, or a more efficient body. Twenty or 30 policemen have resigned in the last year, and most of them on so-called political grounds; but, by a curious coincidence, it has usually been the case that the policemen who were anxious to resign because called upon to administer the Crimes Act have been policemen whose services would have been dispensed with in any case. Then the right hon. Gentleman went on to discuss crime. He talked of the small improvement in crime. I deny that the improvement has been small. If you compare the five months at the beginning of this year with the five months at the beginning of last year, you will find that the improvement in agrarian crimes, exclusive of threatening letters, is no less than 40 per cent; and I do not think any man will describe that improvement as otherwise than an important and a significant improvement. Then I come to Boycotting. The right hon. Gentleman does not like my Boycotting statistics. I do not wonder at that, because they absolutely demolish his case. The hon. and learned Gentleman the Member for Dumfries Burghs (Mr. R. T. Reid) said we never rested our case originally upon crime. I grant that; but what we do rest our case upon is intimidation; and if you examine the statistics you will find that in this respect the improvement has been prodigious. If you take the statistics of Boycotting in July last, before the Act came into operation, and compare them with January of this year, the improvement is no less than 56 per cent—in other words, more than half; and if you take them up to the end of last month, if you include the first five months of this year, you will find the improvement no less than 70 per cent. When you come to the question of derelict farms, the improvement is, perhaps, less marked; but is it, therefore, non-existent? I say, speaking on my own responsibility, and forming the best judgment I can, not only from official reports, but from private letters received from every part of the country—I say, without hesitation, that there is no comparison whatever between the condition of Ireland in May, 1888, and May, 1887, in any particular whatever. Derelict farms are taken which were not taken before; rents are being largely paid, and the social condition of the country, except where the Plan of Campaign exists, is greatly improved, I do not pretend that the question is solved. It would be folly to suppose that after six or seven months' administration of the Crimes Act the Irish problem would be solved. It would be folly. But I say this—that if you are merely to consider the amount of suffering we have removed, if you are merely to consider the amount of liberty we have restored, if you are merely to consider the number of persons who now dare to do what they never would have dared to do before the Crimes Act was passed, I say with confidence to our hon. Friends who have supported us through the laborious Session of last year, your labour has not been thrown away. If from the moment when I now speak the cloud which has begun to break should again descend upon Ireland with all its original blackness, even then I should not say that our toil has been in vain. I firmly believe the contrary. I believe that we have already produced results which should make us proud of having worked as we have worked, for the objects for which we have worked. There are many hearts, from one end of Ireland to the other, which at this moment are thankful that there has been a Unionist Government in power—a Government that, at all events, has shown a desire and a resolution to break down the vile tyranny under which they were suffering. [*Cries of* "No!"] I am aware that these views are not shared by right hon. Gentlemen opposite. They have a different idea on the subject. They are, I presume, looking forward to the General Election, about which we hear so much, when the Unionist Party is to be hurled into insignificance. Then, I suppose, the golden age will dawn upon us when the right hon. Gentleman the Member for Central Bradford (Mr. Shaw Lefevre), no longer deterred by the fear of the law, will be able to employ his siren voice in inducing the tenants on the

various estates in Ireland to combine against their just debts. Agriculture, no doubt, will not flourish then, but Boycotting will. Farms will be strictly entailed upon the insolvent and the incompetent tenants, and the only crime in this paradise upon earth will be paying your debts, and the only tribunal you will have to fear will be that of the National League. [*Laughter.*] Well, Sir, I suppose that men of all Parties desire the good of Ireland. [*Cries of* "Oh, oh!"] I do not doubt the *bona fides* of right hon. Gentlemen opposite—[An hon. MEMBER: We doubt yours.]—but we have different methods of obtaining the result which we have in view. This is no place to discuss rival schemes, and I shall not say a word about the fantastic compromise of Home Rule which has been put forward by the right hon. Gentleman, which the right hon. Gentleman thinks will gratify Irish national aspirations. We take another view of the matter. We hope to see Ireland amalgamated with the other constituent parts of the British Empire, sharing our institutions, fostered by our wealth, and with some of the injuries which we undoubtedly inflicted upon Irish industry in the last century redressed. We hope to see every Irishman rejoicing in a community of sentiment with every Englishman and Scotchman, sharing the fortunes of the British Empire and sharing the traditions upon which those fortunes are founded. But whether the compromise of the right hon. Gentleman the Member for Mid Lothian or our own idea is the better, neither the one nor the other can be based upon any other foundation than that of law and order. Every superstructure that you may raise upon a foundation of lawlessness is doomed beforehand to failure. Do you suppose that the people whom you are debauching—you, the Irish Party, by your positive teaching, and you, the Opposition, by your silence—will, on the morrow of the establishment of an Irish Republic, become lovers of law and order, or that the Irish Republic, or whatever the thing is to be called, will have the slightest chance of permanence or success? Do you suppose that lawbreakers will be good law-makers? In the course of this debate, I have been told that Mr. Dillon is the flower of Irish patriotism; but is he really teaching the Irish people a lesson by which they will be able to direct their future course? Our methods, we admit, are different. The experiment which we are endeavouring to carry out in Ireland of restoring law and order we know is being tried under the greatest difficulties—difficulties which are largely due to those whom we ought to be able to claim as our greatest allies, as they have already been engaged in the same task, who know what its difficulties are, and who should appreciate the importance of our efforts. But, notwithstanding those difficulties, we know that success, even more than we had dared to hope for, has already crowned our efforts. Last year, when I proposed the Crimes Bill, I spoke in hope; now we know for certain that the efforts we have made to repress lawlessness are succeeding. We have already succeeded, and we mean to succeed further in the future. But, Sir, whether or not in the future we are destined to carry on successfully the work we have initiated, in either case we are assured that it is only on the foundation of honesty, of liberty, and of law that the future of the Irish people can be safely rested.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): I notice, Sir, that the cheers with which the right hon. Gentleman was greeted by his friends were far more hearty when he rose to begin his speech than when he sat down, having made it. The circumstance is one not complimentary to him, and it has, I think, something more than a personal significance. However that may be, we are able to discount the cheers which have just been heard from the opposite side of the House. Sir, they are the cheers of a Party which thankfully took power from our hands three years ago by denouncing and renouncing coercion. They are the cheers of hon. Gentlemen who two years ago obtained from the English people admission to this House by pledging themselves upon the platforms of the country to a policy of anything but coercion, and who now, at the end of a year of coercion and nothing else, look forward with some discomfort and a good deal of apprehension, thinking how many of those 20 years of resolute government they are likely to see. The debate on this Motion—a Motion which is definite and limited—has travelled far and wide.

I shall endeavour to keep as close as I can to the subject, but in that I shall not imitate the example of the Chief Secretary for Ireland. I would first notice two of his observations which throw an instructive light upon that quality of candour in the character of the right hon. Gentleman, which is supposed to be the first boast of an English gentleman, and which is considered to be the essential characteristic of an English Minister of State. He claims our gratitude for the information he placed in our hands, and he connected that statement with a denial of the references of the right hon. Member for Mid Lothian to the case of Colonel Turner. Why, Sir, in the case of Colonel Turner the right hon. Gentleman was challenged to grant a public inquiry. He refused a public inquiry, and he based to-night his denial upon official information which he has not enabled us to test. I lay down to this House a statement on which I challenge contradiction. It is this—that the Irish Government never yielded us information but at such a time as takes from that information the only value which information could have by taking out of our hands the power to use that information to check the correctness of the statements of the Government in this House. The right hon. Gentleman also referred to the treatment of priests under the Act. I wish the House to attend to this statement, because it gives us a most signal proof of the candour of the Chief Secretary for Ireland. He said he was an English Protestant, and that he allows priests to wear in prison their clerical garb in obedience to a canonical rule. If a priest in Ireland committed an offence against the ordinary law, would he be clothed in the ordinary garb? If a priest committed a theft or an assault, what then of the canonical rules. Sir, the right hon. Gentleman, who claims to be a man of courage, but who displays in this House many signal qualities, always inseparably associated with cowardice, says he does not put Irish priests in the prison garb. I will tell him the reason he does not put priests in prison garb. Because Father Ryan refused to put it on, and courageous as he is, successful as he is, he does not care to prove his courage and stake his success by using physical force against the priests of Ireland. His references to the treatment of priests is a clear proof that he, in his own mind, makes distinctions which he never admits he makes—that he does make a distinction between political prisoners and ordinary prisoners. The magistrates also admit it, because in all cases in which priests were the defendants they committed them as first-class misdemeanants; and finally upon this point, although the right hon. Gentleman has continually professed that the discipline of the prisons of Ireland is not placed in his hands, he proved by his references that he personally and directly controls the treatment and the fate of every prisoner in every prison in Ireland. I make him, Sir, a present of the value of the arguments by which in this Assembly of English Gentlemen he has proved his manly candour. He has proved his title to be considered a man of honour by slandering an absent man whom he has put into prison. I am glad, Sir, he has referred to the Whelehan case, because it will enable me in a very few words to place before this House the principles and the methods of the present Administration in Ireland. He has stated that a witness in the course of the inquiry into that case swore that he was told by another person that that person was incited by a speech of Mr. Dillon to commit an outrage. Who was that witness? Let the House and let the country understand the instruments the Government employs, and the kind of witnesses the Government cites in dealing with the cause of Ireland. This witness was one of the most infamous wretches whose existence has ever constituted a disgrace to human nature. This witness was Cullinane, the informer, who was for six years in the pay of the police, and who was a frequent inmate of the Informers' Home in Dublin. Upon the night of the murder of Whelehan, Cullinane, the paid spy of the police, by an arrangement with Whelehan, led and accompanied the attacking party to the house where an ambush was laid for their reception. Cullinane it was who incited and produced that crime. Cullinane was a man who had been twice in the Army, and who had twice deserted—a man who had been seven times convicted of crime and seven times imprisoned. He was a creature—I will not say a man—who had been convicted and imprisoned for a criminal assault upon a child of three years, and while he was suffering his

sentence for that criminal assault the Government released him. The Government released this monster, this libel upon human nature, before his sentence was completed, and they released him to take him into their pay and send him about the country propagating crime, to constitute him one of their agents in Ireland to propagate crime, because they know that crime is the political and essential stock-in-trade of the Party now in power. This is the witness called against Mr. Dillon. This is the witness who has been called against a man to whom the better part of his political opponents will certainly not deny respect, and yet upon this witness they are asked to stake the reputation of the Chief Secretary for Ireland and of the whole Government of Ireland, as against a man who in worth of achievement and nobility of character has never been surpassed either in Ireland or England. The Chief Secretary has called before this Assembly of English gentlemen as a witness this vile informer, this Government spy, this propagator of crime, this convulser of the community in Ireland. This episode of the infamous villain Cullinane, the informer, will enable the House to judge how far and in what degree it will be wise for the House and for the people of England to scrutinize what the right hon. Gentleman has described as information. I have said that this debate has travelled far and wide, and I have now to ask how it has happened that so much of the debate has been occupied by the murders of the County Kerry? The Chancellor of the Exchequer (Mr. Goschen) has referred to them, the hon. and gallant Member for North Armagh (Colonel Saunderson) and the hon. Member for South Tyrone (Mr. T. W. Russell) both referred to them, and of the speeches of these Gentlemen I am delighted to say that I was very glad to hear them, for the cause of Ireland will win by referring it to impartial judges, and there is no impartial judge who would not be disgusted by the rancorous tone of their speeches and by the shallowness and by the false irrationality of their case. I was glad to hear these Gentlemen, because they are always useful to the cause of Ireland. Why, at the present there is only one spot in the world where they could be more useful, and that is in the Isle of Thanet, where the united forces of these two hon. Gentlemen can secure what they have often secured before—the triumphant defeat of their candidate. Why have the Kerry murders been introduced into this debate? The Motion of the right hon. Member for Newcastle (Mr. John Morley) impeaches the administration of the Crimes Act; but has the Mover of it, or any other speaker in the course of this debate, laid blame at the door of the Government, or called in question the use of the Crimes Act in reference to the Kerry murders or to any acts that men understand as crime? We have been told that but for the Crimes Act these murderers would not have been punished. Why not? We are told that Mrs. Quirke, the widow of the murdered man, was in fear of giving evidence. Why could she not have been examined in private in the ordinary way, or why could her information not have been taken secretly, as informations were taken in the library of Mr. Olphert's private residence in Donegal? But she could not have been in fear of giving evidence under the ordinary law, because that fear would have applied equally to her examination when she was publicly examined at the trial at Wicklow. That reason goes by the board. We are told that a verdict could not be obtained without a change of venue, and that a change of venue could not have been obtained without a Crimes Act; but that is not so, for a change of venue can be obtained by the ordinary law in cases in which the Government show cause; and even without a change of venue they can, by the time-honoured practice of "standing aside" the jurors whom they dislike, they can obtain, even in Kerry, a jury suitable to their taste and entirely adequate to their purpose. Why did the Government so constantly in this debate refer to these murders? Sir, the agrarian question in Ireland is not a new one, and, unhappily, agrarian murders in Ireland are not new. Ever since you planted in Ireland your fatal agrarian system, since you have maintained it by your power, murder and violence have been its fruit. Go back a few years, go back to any agrarian crisis before the Land League or the National League, and you will find that where there were evictions by tens of thousands, the murders might be counted not by the unit but by the hundred,

and outrages not by the hundred but by thousands. What has been the cause of the salutary change by which the murder bill has been lessened and crime decreased? It has been due to two things—combination amongst the people, and organization springing from that cause. With the Land League we have had the Land Act of 1881; with the National League we have had the Land Act of last year. Without combination and organization we would have had neither one nor the other, and if the Chancellor of the Exchequer and his Friends had their way we would have had neither of those Acts, and Ireland at the present moment would be in this condition, that the landlord could increase the rent at his pleasure, that eviction would be executed at his caprice, and the tillers of the soil would have been tenants at will. Judging by past experience, a continuance of that system would provoke resentment, and cruelty on the part of the landlord would be met by murder and outrage, and the change has occurred through combination and organization, and through the legislation forced by that organization. For the change which has occurred, and the legislation which has been passed, I think the right hon. Gentleman has to thank the man whom he and his Friends have denounced to-night. If he and his Colleagues could have had their way, Ireland to-day would be given over to cruelty on the part of the landlord and to crime on the part of those who suffered that cruelty. But the Chancellor of the Exchequer referred to the Kerry murders in order to shift the true issue before the country, and to raise a false issue instead. Why did he defend himself where he was not attacked? Because where he was attacked he was conscious he had no defence. The right hon. Gentleman spoke of the right of public men to change their opinions. I have read a poem that was once written by the right hon. Gentleman the Chancellor of the Exchequer. Nobody, I suppose, who was not in the secret ever before suspected him of poetry, and nobody certainly would have expected from him an eulogium upon Ireland; but, Sir, the right hon. Gentleman once wrote a poem in praise of the Irish race. The poem closed with a striking eulogium of the matchless spirit of the Celt. Well, Sir, the spirit of the Celt may not be matchless, but I promise the Chancellor of the Exchequer it will be too much for him. The right hon. Gentleman the Chancellor of the Exchequer challenged the Mover of this Motion when he asked whether a legacy of respect for the law in Ireland and the people's affection were bequeathed to us by the Government that went before us? I say it was so bequeathed. This is a Motion in which the conduct of the worst Chief Secretary that Ireland has ever seen is impeached by the best Chief Secretary ever sent to Ireland. The right hon. Gentleman the Member for Newcastle, during his brief administration, did inspire respect for law, because his Government attracted the confidence of the people. He attracted to the Government the affection of the people because he proved that his Government desired the good of Ireland, and intended to promote it. He promoted the common interests of this Realm because he led the Irish people and the different peoples to unite themselves together in what is the only sure and lasting bond—the bond of a voluntary union, the bond of common interest. I say he handed down to the present Government a legacy of respect for the law and an affection for the Government; and if any Member of this House feels inclined to challenge this statement, I ask him if the public life of this country in recent years supplies any parallel to such a demonstration of popular affection as the farewell that was given to the Earl of Aberdeen, or the reception given by the people of the capital of Ireland to the right hon. Gentleman the Member for Newcastle when he visited it at the opening of this year? Yes, Sir, the right hon. Gentleman did bequeath to his Successors a legacy of respect for law and an affection for Government, and the highest compliment that I can pay to the right hon. Gentleman, the strongest proof that can be given of his power, is this, that though his Successor has gravely impaired the legacy of respect and affection bequeathed to him, he has not yet been able to destroy it utterly, and, Sir, I entertain the hope that when the Liberal Unionist aberration of intellect shall have passed away, and when sanity shall resume its sway, the right hon. Member for Newcastle will return to Ireland as the last

Imperial Chief Secretary to the Lord Lieutenant. If it can be proved that the Government have undermined respect for the law the rest of the Motion must stand, because, where they do, the minds of the people must be estranged from the Government, and where the minds of the people are estranged not only are the interests of the Realm damaged but the stability of the Realm is endangered. There are just two ways and no more for producing respect for the law. You may do it by terror, and you may produce it by deserving the confidence of the people. I ask how the Coercion Act produced the respect that is due to fear? Turn to the 1st section of the Act by which the Government were authorized and empowered to set up a Star Chamber in Ireland. It has been set up in different parts of Ireland, and what has happened under it? Impudent agents of the Government have impertinently attempted to introduce themselves into the most private and confidential affairs of life. They have attempted to come between father and son, between parishioner and priest, between banker and client. In various parts of Ireland men in different grades of society have been sent to prison, some for taking no notice of the summons, some for declining to take the oath, and some for flinging back impertinent questions, and I lay down without fear of contradition that in no one case where a man has been imprisoned for contumacy has his imprisonment succeeded in compelling him to answer. Your Star Chamber has proved to be a dead letter. One of the principal purposes of the Coercion Act was the suppression of the National League. Have they suppressed the National League? We are already confronted with the evidence of two Members of the Government, one of whom says it is a thing of the past, and another that it has a ubiquitous existence. The National League has nominally been suppressed in certain districts, but where it has been suppressed proof is given in the new interest and fresh vigour of its existence. Only the other day a priest who was summoned for attending a National League meeting was escorted to the Court by 500 men wearing cards of membership in their hats. This Act was aimed at the liberty of the Press. Editors and printers have been imprisoned for reporting the meetings of suppressed branches. The Government have chased and cuffed poor newsboys about the street. They have punished men selling newspapers with reports of suppressed meetings by long terms of imprisonment. Have they stopped the publication of these reports? No; they have increased them. They are widely published in the popular Press of Ireland and are read with more avidity. If proof were wanted I have here a copy of a newspaper of which the Chief Secretary for Ireland is a very careful student—it is *United Ireland* of last Saturday, and I find on its leading page the heading "Suppressed Branches," followed by several columns of this prohibited matter. The League is altogether suppressed in the County Clare. It is there a thing of the past, yet I find that there were held and are here reported the meetings of 14 branches, and in almost every one of them a parish clergyman was in the chair. Law never falls into such utter disrepute as when it is seen to be impotent as well as repulsive. If the Leader of the House were here I would put the question to him; but he has contracted a habit of saying "Certainly, Sir," which detracts from the value of his evidence. I would therefore ask any independent Member of the House whether the Government, in order to cover their defeat, have not abandoned themselves to a fiction. That is what has occurred, for they have stated that the National League has been suppressed, when, as a matter of fact, the action of the Government has tended to strengthen it. Well, I think the Act has not promoted but it has undermined and annihilated the respect of the people. Has it not undermined the respect that is due to the sense of the people that law is conceived in their interest and administered for their good? I turn again for one moment to the 1st section of the Act. Why did not the Chief Secretary for Ireland, in his long and tortuous speech, explain why, within the last few days, he applied the 1st section to the County and the City of Dublin? He would not allege crime. He could not allege disturbance. We have before us the Report of the Commission Judge, and he had before him the Report of the Inspector of Police, and the police in Ireland take notice not only of crimes but of symptoms, and the

Judges from the Bench discuss symptoms as well as crimes. If there had been anything to call for notice in the state of the County or the City of Dublin the Inspector of Police would have noted it in his Report, and the Judge would have made it the subject of comment in his charge. There is no crime; but because he apprehends crime in the County and the City of Dublin he very arbitrarily, and without a shadow of cause, has applied to that county and city the 1st section — has applied to 500,000 people the humiliation and the insult of wantonly setting up a Star Chamber in their midst, and all that he can say in defence of his unaccountable action is that although crime does not exist in Dublin, that something may be done in Dublin at some time or another that may blossom into crime. Sir, reasoning like that would justify the massacre of the innocents. That also was taking time by the forelock. That was a measure of State policy conducted by a high official with very much the same object, for certain infants were got out of the way for fear that when grown up that they might blossom into agitators. I, Sir, have a right to speak for the citizens of Dublin, and I tell the right hon. Gentleman that if he dares without a shadow of a cause of justification to set up his Star Chamber in that City, after having inflicted the humiliation and insult of authorizing the establishment of that Chamber—if he sets that Chamber at work and lays every citizen of Dublin open to have his private affairs examined without any means of vindicating his character before the public—I tell him that if a Star Chamber is set up in Dublin, the inquisition will be severely dealt with. I ask, is not respect for law undermined when men can have no respect for its administration? The principal use of this Act is the administration of the summary powers conferred by it. And who are the men who are administering those powers? We have heard a great deal about the Resident Magistrates. They are the most nondescript and maudlin collection of curiosities in the Public Service of the world. They receive a certificate of competency which would no doubt be useful to them if they were but jockeys. Who are those men? A few of them are briefless, a score of them are incapacitated commanders, another score of them are ex-officers of the police, and some of them, to my own knowledge, are men who were mere ignorant idlers, pitchforked on to the coercion bench for no better reason that any man can discover than that the Government were satisfied by their practical experience as to their being fit for nothing useful, and that, therefore, they might possibly be fit for that. These magistrates, in the main, have no practical knowledge of the law, and no experience of public affairs, and they are opposed by social prejudice and personal interest to the mass of the people. Let me give two or three examples of them. Mr. Hamilton is a man who fawned upon the hon. Member for North-East Cork when he thought the Home Rule Bill might possibly become law. He is the same Mr. Hamilton who wrote a letter to you, Sir, and who was unable to state the charge in legal language. Then there is Colonel Carew, who declared from the Bench that he represented the Crown, and who said that he had received his orders from the Government and dared not disobey them. I can easily believe him. Obedience to the will of the Chief Secretary for Ireland and the satisfying of his desires is the condition on which these men receive their appointments. Mr. Dillon, another of these magistrates, declared from the Bench that a Proclamation from the Chief Secretary for Ireland had made a meeting illegal, and that the Proclamation had been issued by virtue of the Coercion Act, while we who are neither lawyers nor magistrates are well aware that no Proclamation of the Chief Secretary or of the Government of Ireland can make a meeting illegal, and that even if it could be, he has no power to issue proclamations. Captain Massey and Mr. Irwin, two more of these magistrates, have laid down from the Bench the doctrine that the Coercion Act overturns the fundamental rule of law because in it they ruled that the onus of proof of guilt does not lie upon the Crown, but that the onus of proof of innocence lies upon the defendant. Mr. Cecil Roche imagines that when he consented to state a case that the option of the Court to which the case was to be stated lay not with the defendant but with himself. Mr. Cecil Roche gives a man a month in gaol for laughing at a policeman, and Mr. Cecil Roche gets himself into a judicial

temper and beats the people with his stick before he goes on the Bench, and after his judicial duties are over sallies out from the Bench and escorts the prisoners to a railway station. His custom—or, at any rate, he has upon more than four occasions ordered a rifle butt end charge at the people in the street, and takes a leading part in the attack himself. Those are the administrators of the law, and those being the administrators of the law, what respect for law can there be? One of the many pie-crust pledges made by the Chief Secretary for Ireland to the House during the passage of the Act was upset when the Solicitor General for Ireland assured us the other day that it was the duty of the stipendiaries to state a case when required except upon a frivolous application. Now, Sir, I have followed closely, except for one period of six weeks, the whole course of the Coercion Act, and I lay down broadly this assertion, that it has been the almost invariable rule of the stipendiaries under this Act to refuse to state their reasons and to refuse to record the ground of the application and to refuse to state a case, no matter how good the ground of application might be. But how was it with regard to appeals? The Chief Secretary for Ireland promised an appeal in every case. How has the pledge been kept? The law was left in such a condition that no man could get an appeal at all unless his sentence exceeded imprisonment for a month. Although the Chief Secretary for Ireland ingeniously pretends that he has no control over the Resident Magistrates, and that he does not direct their action, I would recall the memory of this House to his speech to his own constituents last year, where he pointed out to his constituents, but really to his servants in Ireland, the inconvenience of long sentences and the inconvenience of allowing public men to be at large in the interval between the infliction of the sentence and the hearing of the appeal, and the superior advantage of the infliction of short sentences from that point of view. The effect, Sir, was instant and signal. The speech was as effective as a circular from Dublin Castle. The stipendiaries forthwith began to pass short sentences of a month and under, which deprived the men upon whom they were inflicted of their right of appeal. In case that might not be satisfactory to the Government owing to the lightening of the punishment, the plot was completed by the lawyers of the Crown, for they initiated at the same time a system of cumulative sentences—a system repugnant to the idea of justice and the spirit of the law—a principle by which they carved out of the same Act a series of offences and of charges. As, for instance, Sir, if a man made a speech at a public meeting they charged him first with an unlawful assembly, they charged him then, for the same speech, with taking part in unlawful conspiracy to incite, and then they charged him with inciting other people to take part in the conspiracy. Upon each of these three charges the man was tried, and upon each of them a separate sentence was inflicted. These separate sentences amounted to a good long term. The Government were satisfied by the severity of the sentences, and the liberties of the subject in Ireland were absolutely left to the Chief Secretary for Ireland and his menials at the bar and on the Bench; but the progress went one step further, and was conducted in this way—when a sentence was passed upon a public man long enough to allow him to appeal, he was, upon being admitted to bail, immediately re-arrested, tried upon another charge, and put into gaol for a period not long enough to entitle him to appeal, but long enough to embarrass his defence and to keep him in prison until his appeal came on to be heard. I will refer to the case of the hon. Member for South Galway (Mr. Sheehy), who was imprisoned for a public speech. He was charged with delivering a public speech. He was sentenced to imprisonment for three months. He was admitted to bail, and the moment he had given bail and was set at liberty, upon leaving the Court he was re-arrested and was taken to Clonmel. He was there tried in respect of a speech which had already been used against him in his trial at Roscommon — which had been used, Sir, to ensure his conviction; and, to increase the measure of his guilt, he was sentenced a second time upon that speech to be imprisoned for a term short enough to prevent him from appealing, and then during that term he was kept in prison he was prevented from arranging and preparing his defence, and he was taken from the

prison to the hearing of his appeal into the midst of his own constituents in the garb of a common criminal. I also refer to the case of my hon. Friend the Member for East Clare (Mr. Cox). He was tried for the delivery of a public speech, and was sentenced at Ennis to a period long enough to prevent him from appealing. He was sentenced to four months' imprisonment. He was liberated on bail. Upon being set at liberty, he was instantly re-arrested, and four days later he was brought before the same Court, before the same magistrates, and tried a second time upon a charge carved out of the same speech; and upon that second charge he was not admitted to bail, although he had been admitted to bail in respect of the heavier conviction. He was sent to prison, and kept in prison, until the time for the hearing of his appeal came on. Sir, this is the system by which the right of appeal which the Chief Secretary for Ireland promised has been extinguished, and the plot culminated in the action by which three or four County Court Judges suddenly amazed the country by increasing and doubling sentences on appeal—an act which, whether technically illegal or not, was as repugnant to the spirit of justice as any act by any Judge could well be. It aroused such a tempest of indignation in this country that by no County Court Judge in Ireland is such action likely to be repeated. Now, Sir, I have shown that the people of Ireland were practically left, in violation of pledges, at the mercy of the Stipendiaries; but, Sir, these Stipendiaries have been amusing themselves for the past year by sending people to prison on the charge of unlawful assembly. Now, what is an unlawful assembly in Ireland? I am not a lawyer, and I do not attempt to define it. A man is sent to prison in Ireland under the Coercion Act, and his farm is left to go waste and his wife and family left to starve, and if the neighbours come to plough or to sow his land, or to give food or fuel to his family, the police break in upon that gathering, and that becomes an unlawful assembly. A public man in Ireland is arrested, and the people cheer him on his way to prison. That is an unlawful assembly. If a coercion prisoner is released, and his neighbours meet him outside the gaol to welcome him back to liberty and to accompany him to his home, the police break in upon that occasion also, and it becomes an unlawful assembly. If upon any occasion of a gathering in Ireland anyone groans at the Chief Secretary for Ireland—which a great many people are certainly inclined to do—or if anyone cheers the right hon. Member for Mid Lothian—which chiefly means the popular inclination in Ireland—the police make the groan or the cheer the pretext for the attack, and the gathering of the people becomes an unlawful assembly; and every man upon whom the police chooses to lay hands on on such an occasion is sent to prison, sometimes for months and sometimes with hard labour, upon a charge of taking part in an unlawful assembly. A man is sent to gaol with hard labour for taking part in meetings of the suppressed branches of the National League. What has been the evidence? Has it been proved the meetings of the suppressed branches have been held? Not at all. The Stipendiaries never stop to ask for such evidence. A number of men are seen going into a house, and the police are not aware of what happens in the house. They charge the men with holding a meeting of the suppressed branch of the League, and the Coercion Stipendiaries Massey and Redmond have wisely laid it down that the onus of proof does not lie on the Crown but on the men. But the main function of the Coercion Act has been in reference to charges of conspiracy, I have closely followed the working of the Act, I have read the evidence published in every case since the Act passed into law, and I say that no such case has come to my knowledge of conviction for conspiracy under the 2nd section of the Act which the judgment of the Court of Exchequor does not render an illegal conviction. A charge of conspiracy under the Act is a new-fangled charge. The Chief Secretary stated that the Act created no new crime, but, in truth it is studded with brand-new crime. The Chief Baron himself declared the other day that an indictment for the kind of conspiracy charged in this section could not have been maintained in any Court before the Act passed into law. What does the right hon. Gentleman say to that? I confront him with the declaration of the Lord Chief Baron. The judgment

of the Court of Exchequor has made it plain that a conspiracy amongst persons not to deal is not an offence against the Act. Then I say that the convictions for conspiracy since the Act passed into law have been illegal, because I cannot call to mind one single case in which the Crown have ventured to go one inch beyond that. The Lord Chief Baron and his brother Judges have laid it down that in order to establish a charge of conspiracy the word "induce" must be understood to mean compulsion, and, in effect, intimidation, and in these cases not a shadow of this intimidation is found. The Government have sheltered their magistrates under the plea of mistake. But there could be no mistake in the Castlemartyr case. In the case of David Barry, what mistake could there have been about the man who sold the bread and wanted to give the money back because he would not be a black sheep more than the others, and would rather give the bread than receive money for it? How can any Judge or magistrate pretend that he was compelled by others not to deal with the police? It was not a mistake on the part of these magistrates if, when they tried the Castlemartyr case, they had before them the judgment in the Court of Exchequer in the case of Sullivan the blacksmith. That judgment declared that it was necessary to prove in these cases that compulsion had been exercised upon others. It was a warning and direction to them, and to every other magistrate in Ireland, that no conviction for conspiracy could be found unless compulsion was proved. They ignored that judgment. They trampled upon it, and they disgraced even the tainted Bench of which they are members. And the right hon. Gentleman, nevertheless, has declared to-night that these men are to be continued in their places to deride the judgments of Superior Courts, and to oppress and imprison innocent, helpless, and inoffensive men. I, for my part, am scarcely sorry for it, and I should not be sorry if they were promoted and included in the next batch of C. B.'s, because it is owing to their scandals and illegal acts that the Government will be eventually overthrown. The judgment of the Court of Exchequer in the Castlemartyr case rules the case of Mr. Dillon. Now, this Act was applied to the county of Louth in order to entrap Mr. Dillon. He is as ready as any man in this House, or in the world, to face the consequences of his acts under any law that the Government may devise. We do not complain of this. What we do complain of is that the Government thought nothing of abolishing the dearest interests of 100,000 people in an Irish county—a most crimeless county, against which not even the shadow of a case has been made out—for the sole and simple purpose of imprisoning one man, and placing a gag upon the lips of one man, whose voice they fear when it is addressed to the English people. If Mr. Dillon's speech at Tullyallen was sufficient, why did they give in evidence against him the speech of another hon. Gentleman which was not made the subject of a charge? They gave in evidence a speech made two years ago, before the Coercion Act was passed, and a speech for which he had already been tried by a carefully selected jury and not convicted, and that in contravention of a pledge that no such step should be taken under the Coercion Act. Mr. Dillon was charged with taking part in an unlawful conspiracy to compel and induce others to commit an offence. Why were not some of those with whom he joined identified and placed in the dock with him? If the Government were honest in their desire to keep down crime in Ireland they would welcome the speeches of Mr. Dillon and of others. Mr. Dillon's speech at Tullyallen was the most powerful protest against crime which ever proceeded from the lips of a public man. When Mr. Dillon said that the lives of traitors would be an unhappy one, he meant it in the same sense in which the lives of blacklegs and thieves would be unhappy. The unhappiness was the unhappiness of those who act against the interests of the people and against the public welfare. Why was he sentenced to six months' imprisonment? Because, as the magistrate said, he was a man of power. But what a sad commentary is that upon the spirit of your rule. The same thing which makes a man a leader if he is born in England makes him a prisoner if he is born in Ireland. Mr. Dillon took his case to the County Court; but the Judge, acting upon the instructions of the Government to refuse facilities as far as possible for the effectuation of justice, refused to make the order in

such a form as to enable it to be reviewed. The County Court Judge who sent Mr. Dillon to prison was appointed by the Chief Secretary, and is as zealous a partizan as any man in Ireland. Such is the course of procedure, absurd and illegal as it is, and such are the functionaries by whose procurement Mr. Dillon has been sent to prison and others have been subjected by a Government who profess to desire the conciliation of the people of Ireland to the loss of liberty. They have been, as is the case with some of my hon. Friends, assaulted by warders, stripped of their clothes in gaol, allowed to stand naked for hours together, clothed in the garb of the criminal, tortured on the plank bed by deprivation of sleep, shut up in holes, and starved on bread and water for days and weeks for refusal to perform the meanest tasks associated with criminals. Such is the record of one year of the Coercion Act, and such being the record of one year of the Act, how long do you think the Act will endure? It will last as long as its authors last—perhaps so long—but certainly not one day longer. And how long will they last? Two years ago they went into the Lobby with a majority of 140. Will they pretend that they have that majority now? The answer is often given. It began at Burnley a good long time ago, and it has continued in many constituencies. It was given the other day with crushing emphasis at Southampton, and it was delivered last night in unmistakable terms by the Member for Ayrshire. The Ministry does not depend on the Tory Party. They do not constitute one-half the House, and they have not even the power to issue a Writ for filling up a seat. The real authors of the Coercion Act and its efficient guardians are to be found on this side of the House in the Liberal Unionist Party. The Coercion Act could never have been enacted, and without them and without their favour it could not last a single day. What is the position of the Liberal Unionists? They have been compared to a criminal in a condemned cell. The comparison was in several senses most apposite, because they may while they stay here drag out an unhappy kind of life. They will stay here as long as they can, but when the day comes which obliges them to go forth, that day will mark their doom. The Liberal Unionists in this House enjoy a kind of life, but what is to become of them in the country? The noble Lord the Member for Rossendale (the Marquess of Hartington) puts on the airs of a Party Leader; but can he return a Member for any seat in Great Britain? Nay, more, is there a seat in Great Britain at the present moment where, if a contest occurred, a published letter from the noble Lord would not ensure the defeat of the candidate whom he favoured? The Liberal Unionist Party, so far as concerns the public life of this country, is nothing more than a mouldy relic. It is offensive to every sense, and the only remedy is to bury it on the first available occasion. The noble Lord the Member for Rossendale is the head of it, and the hon. Member for South Tyrone (Mr. T. W. Russell) is one of the joints of its decomposing tail. Such is the moral condition of the authority of the Government and their Confederates. What is our position? At the General Election, a few years ago, you left us two-thirds of the seats without a contest and without even nominating a candidate, and for every contest that took place in the other third, we won against you a greater relative majority than that by which the power of the Government was sustained. Our moral and elective authority is increasing every day, while yours is decreasing and is on the wane. But you have a majority here to-night; the Motion of the right hon. Gentleman the Member for Newcastle can be defeated, your votes will defeat him; but what respect will your votes command? The day of the right hon. Gentleman the Member for Newcastle has come. He need not ask the Removables opposite to state a case for him, for he has appealed to what is happily the final court of his country—the conscience of the people. We believe that the British public, or the greater part of it, are weary of the cruel use of this Act and of its corrupt administration, and their abhorrence of it will burst out into a moral insurrection when they find that under it a Chief Secretary for Ireland, at the instigation of a faction, can become the gaoler of a man more powerful in Ireland than the Chief Secretary is in England, more respected in England than the Chief Secretary is anywhere. The people of England will appreciate the use to which the Act is being put;

Mr. Sexton

and, for my part, I make no doubt that if to-morrow the gaoler and the prisoner should appear together before a free and open assembly, not of the classes, but of the fair-minded British people, who hate all tyranny and abominate all meanness, the gaoler in his new red gown as Doctor of Coercion Law, and John Dillon, in convict's garb—I make no doubt that public approval and public welcome would be given not to the Minister who has made himself the willing instrument to the greed and revenge of a class, but to the Representative who forfeited his liberty and is risking his very life in what is to him—and what ought to be to him—the most worthy, the most sacred cause upon this earth—the cause of the homes and the liberties of his people.

Question put.

The House *divided*:—Ayes 273; Noes 366: Majority 93.

AYES.

Abraham, W. (Glam.)
Abraham, W. (Limerick, W.)
Acland, A. H. D.
Acland, C. T. D.
Allison, R. A.
Anderson, C. H.
Asher, A.
Asquith, H. H.
Atherley-Jones, L.
Austin, J.
Balfour, Sir G.
Balfour, rt. hon. J. B.
Ballantine, W. H. W.
Barbour, W. B.
Barran, J.
Barry, J.
Beaumont, W. B.
Biggar, J. G.
Bolton, J. C.
Bolton, T. D.
Bradlaugh, C.
Bright, Jacob
Bright, W. L.
Broadhurst, H.
Brown, A. L.
Bruce, hon. R. P.
Brunner, J. T.
Bryce, J.
Buchanan, T. R.
Burt, T.
Buxton, S. C.
Byrne, G. M.
Cameron, C.
Cameron, J. M.
Campbell, Sir G.
Campbell-Bannerman, right hon. H.
Carew, J. L.
Causton, R. K.
Cavan, Earl of
Chance, P. A.
Channing, F. A.
Childers, rt. hon. H. C. E.
Clancy, J. J.
Clark, Dr. G. B.
Cobb, H. P.
Coleridge, hon. B.
Colman, J. J.
Commins, A.
Condon, T. J.
Conway, M.
Conybeare, C. A. V.
Corbet, W. J.
Cossham, H.
Cox, J. R.
Cozens-Hardy, H. H.
Craig, J.
Craven, J.
Crawford, D.
Crawford, W.
Cremer, W. R.
Crilly, D.
Crossley, E.
Davies, W.
Deasy, J.
Dickson, T. A.
Dillwyn, L. L.
Dodds, J.
Duff, R. W.
Ellis, J.
Ellis, J. E.
Ellis, T. E.
Esmonde, Sir T. H. G.
Esslemont, P.
Evans, F. H.
Evershed, S.
Farquharson, Dr. R.
Fenwick, C.
Ferguson, R. C. Munro-
Finucane, J.
Firth, J. F. B.
Flower, C.
Flynn, J. C.
Foley, P. J.
Foljambe, C. G. S.
Forster, Sir C.
Foster, Sir W. B.
Fowler, rt. hon. H. H.
Fox, Dr. J. F.
Fry, T.
Fuller, G. P.
Gardner, H.
Gaskell, C. G. Milnes-
Gilhooly, J.
Gill, T. P.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gourley, E. T.
Graham, R. C.
Grey, Sir E.
Grove, Sir T. F.
Gully, W. C.
Haldane, R. B.
Hanbury-Tracy, hon. F. S. A.
Harcourt, rt. hon. Sir W. G. V. V.
Harrington, E.
Harrington, T. C.
Harris, M.
Hayden, L. P.
Hayne, C. Seale-
Healy, M.
Healy, T. M.
Hingley, B.
Holden, I.
Hooper, J.
Howell, G.
Hoyle, I.
Hunter, W. A.
Illingworth, A.
Jacoby, J. A.
James, hon. W. H.
Joicey, J.
Jordan, J.
Kay-Shuttleworth, rt. hon. Sir U. J.
Kenny, C. S.
Kenny, J. E.
Kenny, M. J.
Kilbride, D.
Labouchere, H.
Lalor, R.
Lane, W. J.
Lawson, Sir W.
Lawson, H. L. W.
Leahy, J.
Leake, R.
Lefevre, right hon. G. J. S.
Lewis, T. P.
Lockwood, F.
Lyell, L.
Macdonald, W. A.
MacInnes, M.
Mac Neill, J. G. S.
M'Arthur, A.
M'Arthur, W. A.
M'Cartan, M.
M'Carthy, J
M'Carthy, J. H.
M'Donald, P.
M'Donald, Dr. R.
M'Ewan, W.
M'Kenna, Sir J. N.
M'Lagan, P.
M'Laren, W. S. B.
Mahony, P
Maitland, W. F.
Mappin, Sir F. T.
Marum, E. M.
Mayne, T.
Menzies, R. S.
Molloy, B. C.
Montagu, S.
Morgan, right hon. G. O.
Morgan, O. V.
Morley, rt. hon. J.
Mundella, right hon. A. J.
Murphy, W. M.
Neville, R.
Newnes, G.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, J. F. X.
O'Brien, P. J.
O'Brien, W.
O'Connor, A.
O'Connor, J.
O'Connor, T. P.
O'Doherty, J. E.
O'Gorman Mahon, The
O'Hanlon, T.
O'Hea, P.
O'Keeffe, F. A.
O'Kelly, J.
Palmer, Sir C. M.
Parker, C. S.
Parnell, C. S.
Paulton, J. M.
Pease, H. F.
Pickard, B.
Pickersgill, E. H.
Picton, J. A.
Pinkerton, J.
Playfair, right hon. Sir L.
Plowden, Sir W. C.
Portman, hon. E. B.
Potter, T. B.
Powell, W. R. H.
Power, P. J.
Power, R.
Price, T. P.
Priestley, B.
Provand, A. D.
Pugh, D.
Pyne, J. D.
Quinn, T.
Randell, D.
Rathbone, W.
Redmond, J. E.
Redmond, W. H. K.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Reynolds, W. J.
Richard, H.
Roberts, J.
Roberts, J. B.
Robertson, E.
Robinson, T.
Roe, T.
Roscoe, Sir H. E.
Rowlands, J.
Rowlands, W. B.

Rowntree, J.
Russell, Sir C.
Samuelson, Sir B.
Samuelson, G.B.
Schwann, C. E.
Sexton, T.
Shaw, T.
Sheehan, J. D.
Sheehy, D.
Sheil, E.
Simon, Sir J.
Sinclair, J.
Slagg, J.
Smith, S.
Spencer, hon. C. R.
Stack, J.
Stanhope, hon. P. J.
Stansfeld, right hon. J.
Stevenson, F. S.
Stevenson, J. C.
Stewart, H.
Storey, S.
Stuart, J.
Sullivan, D.
Sullivan, T. D.
Summers, W.
Sutherland, A.
Swinburne, Sir J.
Talbot, C. R. M.
Tanner, C. K.
Thomas, A.
Thomas, D. A.
Trevelyan, right hon. Sir G. O.
Tuite, J.
Vivian, Sir H. H.
Waddy, S. D.
Wallace, R.
Wardle, H.
Warmington, C. M.
Watt, H.
Wayman, T.
Whitbread, S.
Will, J. S.
Williams, A. J.
Williamson, J.
Williamson, S.
Wilson, C. H.
Wilson, H. J.
Wilson, I.
Winterbotham, A. B.
Woodall, W.
Woodhead, J.
Wright, C.

TELLERS.

Marjoribanks, rt. hon. E.
Morley, A.

NOES.

Addison, J. E. W.
Agg-Gardner, J. T.
Ainslie, W. G.
Aird, J.
Allsopp, hon. G.
Allsopp, hon. P.
Ambrose, W.
Amherst, W. A. T.
Anstruther, Colonel R. H. L.
Anstruther, H. T.
Ashmead-Bartlett, E.
Baden-Powell, Sir G. S.
Bailey, Sir J. R.
Baird, J. G. A.
Balfour, rt. hon. A. J.
Banes, Major G. E.
Barclay, J. W.
Baring, T. C.
Barnes, A.
Barry, A. H. S.
Bartley, G. C. T.
Barttelot, Sir W. B.
Bass, H.
Bates, Sir E.
Baumann, A. A.
Bazley-White, J.
Beach, right hon. Sir M. E. Hicks-
Beach, W. W. B.
Beadel, W. J.
Beaumont, H. F.
Beckett, E. W.
Beckett, W.
Bective, Earl of
Bentinck, rt. hn. G. C.
Bentinck, Lord H. C.
Bentinck, W. G. C.
Beresford, Lord C. W. De la Poer
Bethell, Commander G. R.
Bickford-Smith, W.
Biddulph, M.
Bigwood, J.
Birkbeck, Sir E.
Blundell, Col. H. B. H.
Bolitho, T. B.
Bond, G. H.
Bonsor, H. C. O.
Boord, T. W.
Borthwick, Sir A.
Bridgeman, Col. hon. F. C.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brookfield, A. M.
Brooks, Sir W. C.
Brown, A. H.
Bruce, Lord H.
Burdett-Coutts, W. L. Ash.-B.
Burghley, Lord
Caine, W. S.
Caldwell, J.
Campbell, Sir A.
Campbell, J. A.
Carmarthen, Marq. of
Cavendish, Lord E.
Chamberlain, rt. hn. J.
Chamberlain, R.
Chaplin, right hon. H.
Charrington, S.
Churchill, rt. hn. Lord R. H. S.
Clarke, Sir E. G.
Cochrane-Baillie, hon. C. W. A. N.
Coddington, W.
Coghill, D. H.
Collings, J.
Colomb, Sir J. C. R.
Compton, F.
Cooke, C. W. R.
Corbett, A. C.
Corbett, J.
Corry, Sir J. P.
Cotton, Capt. E. T. D.
Courtney, L. H.
Cranborne, Viscount
Cross, H. S.
Crossley, Sir S. B.
Crossman, Gen. Sir W.
Cubitt, right hon. G.
Currie, Sir D.
Curzon, Viscount
Curzon, hon. G. N.
Dalrymple, Sir C.
Darling, C. J.
Davenport, H. T.
Dawnay, Colonel hon. L. P.
De Cobain, E. S. W.
De Lisle, E. J. L. M. P.
De Worms, Baron H.
Dickson, Major A. G.
Dimsdale, Baron R.
Dixon, G.
Dixon-Hartland, F. D.
Donkin, R. S.
Dorington, Sir J. E.
Duncan, Colonel F.
Duncombe, A.
Dyke, right hon. Sir W. H.
Ebrington, Viscount
Edwards-Moss, T. C.
Egerton, hon. A. J. F.
Egerton, hon. A. de T.
Elcho, Lord
Elliot, Sir G.
Elliot, hon. A. R. D.
Elliot, hon. H. F. H.
Elliot, G. W.
Ellis, Sir J. W.
Elton, C. I.
Ewart, Sir W.
Ewing, Sir A. O.
Eyre, Colonel H.
Farquharson, H. R.
Feilden, Lt.-Gen. R. J.
Fellowes, A. E
Fergusson, right hon. Sir J.
Field, Admiral E.
Fielden, T.
Finch, G. H.
Finlay, R. B.
Fisher, W. H.
Fitzgerald, R. U. P.
Fitzwilliam, hon. W. H. W.
Fitzwilliam, hon. W. J. W.
Fitz-Wygram, Gen. Sir F. W.
Fletcher, Sir H.
Folkestone, right hon. Viscount
Forwood, A. B.
Fowler, Sir R. N.
Fraser, General C. C.
Fry, L.
Fulton, J. F.
Gardner, R. Richardson-
Gathorne-Hardy, hon. A. E.
Gathorne-Hardy, hon. J. S.
Gedge, S.
Gent-Davis, R.
Giles, A.
Gilliat, J. S.
Godson, A. F.
Goldsmid, Sir J.
Goldsworthy, Major-General W. T.
Gorst, Sir J. E.
Goschen, rt. hn. G. J.
Granby, Marquess of
Gray, C. W.
Green, Sir E.
Greenall, Sir G.
Greene, E.
Grimston, Viscount
Grotrian, F. B.
Gunter, Colonel R.
Gurdon, R. T.
Hall, A. W.
Hall, C.
Halsey, T. F.
Hambro, Col. C. J. T.
Hamilton, right hon. Lord G. F.
Hamilton, Lord C. J.
Hamilton, Col. C. E.
Hamley, Gen. Sir E. B.
Hanbury, R. W.
Hankey, F. A.
Hardcastle, E.
Hardcastle, F.
Hartington, Marq. of
Hastings, G. W.
Havelock-Allan, Sir H. M.
Heath, A. R.
Heathcote, Capt. J. H. Edwards-
Heaton, J. H.
Heneage, right hon. E.
Herbert, hon. S.
Hermon-Hodge, R. T.
Hervey, Lord F.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hill, A. S.
Hoare, E. B.
Hoare, S.
Hobhouse, H.
Holloway, G.
Hornby, W. H.
Houldsworth, Sir W. H.
Howard, J.
Howorth, H. H.
Hozier, J. H. C.
Hubbard, hon. E.
Hughes, Colonel E.
Hughes-Hallett, Col. F. C.
Hulse, E. H.
Hunt, F. S.
Hunter, Sir W. G.

Isaacs, L. H.
Isaacson, F. W.
Jackson, W. L.
James, rt. hon. Sir H.
Jardine, Sir R.
Jarvis, A. W.
Jeffreys, A. F.
Jennings, L. J.
Johnston, W.
Kelly, J. R.
Kennaway, Sir J. H.
Kenrick, W.
Kenyon, hon. G. T.
Kenyon-Slaney, Col. W.
Ker, R. W. B.
Kerans, F. H.
Kimber, H.
King, H. S.
Knatchbull-Hugessen, H. T.
Knightley, Sir R.
Knowles, L.
Kynoch, G.
Lafone, A.
Lambert, C.
Laurie, Colonel R. P.
Lawrance, J. C.
Lawrence, Sir J. J. T.
Lawrence, W. F.
Lea, T.
Lechmere, Sir E. A. H.
Lees, E.
Legh, T. W.
Leighton, S.
Lennox, Lord W. C. Gordon-
Lethbridge, Sir R.
Lewis, Sir C. E.
Lewisham, right hon. Viscount
Llewellyn, E. H.
Long, W. H.
Lowther, hon. W.
Lowther, J. W.
Lubbock, Sir J.
Lymington, Viscount
Macartney, W. G. E.
Macdonald, right hon. J. H. A.
Mackintosh, C. F.
Maclean, F. W.
Maclean, J. M.
Maclure, J. W.
M'Calmont, Captain J.
Madden, D. H.
Makins, Colonel W. T.
Mallock, R.
Maple, J. B.
Marriott, right hon. Sir W. T.
Maskelyne, M. H. N. Story-
Matthews, right hon. H.
Mattinson, M. W.
Maxwell, Sir H. E.
Mayne, Admiral R. C.
Mildmay, F. B.
Mills, hon. C. W.
Milvain, T.
More, R. J.
Morgan, hon. F.
Morrison, W.
Moss, R.
Mount, W. G.
Mowbray, right hon. Sir J. R.
Mowbray, R. G. C.
Mulholland, H. L.
Muncaster, Lord
Muntz, P. A.
Murdoch, C. T.
Newark, Viscount
Noble, W.
Norris, E. S.
Northcote, hon. Sir H. S.
Norton, R.
O'Neill, hon. R. T.
Paget, Sir R. H.
Parker, hon. F.
Pearce, Sir W.
Pelly, Sir L.
Penton, Captain F. T.
Plunket, right hon. D. R.
Plunkett, hon. J. W.
Pomfret, W. P.
Powell, F. S.
Price, Captain G. E.
Puleston, Sir J. H.
Quilter, W. C.
Raikes, rt. hon. H. C.
Rankin, J.
Rasch, Major F. C.
Reed, H. B.
Richardson, T.
Ridley, Sir M. W.
Ritchie, right hon. C. T.
Robertson, Sir W. T.
Robertson, J. P. B.
Robinson, B.
Rollit, Sir A. K.
Ross, A. H.
Rothschild, Baron F. J. de
Round, J.
Royden, T. B.
Russell, Sir G.
Russell, T. W.
Sandys, Lt.-Col. T. M.
Saunderson, Col. E. J.
Sellar, A. C.
Selwin-Ibbetson, right hon. Sir H. J.
Selwyn, Captain C. W.
Seton-Karr, H.
Shaw-Stewart, M. H.
Sidebotham, J. W.
Sidebottom, T. H.
Sidebottom, W.
Sinclair, W. P.
Smith, rt. hon. W. H.
Smith, A.
Spencer, J. E.
Stanhope, rt. hon. E
Stanley, E. J.
Stephens, H. C.
Stewart, M. J.
Stokes, G. G.
Sutherland, T.
Swetenham, E.
Sykes, C.
Talbot, J. G.
Tapling, T. K.
Taylor, F.
Temple, Sir R.
Theobald, J.
Thorburn, W.
Tollemache, H. J.
Tomlinson, W. E. M.
Townsend, F.
Trotter, Col. H. J.
Tyler, Sir H. W.
Vernon, hon. G. R.
Vincent, C. E. H.
Walsh, hon. A. H. J.
Waring, Colonel T.
Watson, J.
Webster, Sir R. E.
Webster, R. G.
West, Colonel W. C.
Weymouth, Viscount
Wharton, J. L.
Whitley, E.
Whitmore, C. A.
Wiggin, H.
Williams, J. Powell-
Wilson, Sir S.
Winn, hon. R.
Wodehouse, E. R.
Wolmer, Viscount
Wood, N.
Wortley, C. B. Stuart-
Wright, H. S.
Wroughton, P.
Yerburgh, R. A.
Young, C. E. B.

TELLERS.

Douglas, A. Akers-
Walrond, Col. W. H.

PARLIAMENTARY FRANCHISE (EXTENSION TO WOMEN) BILL.

(*Baron Dimsdale, Mr. Woodall, Sir Robert Fowler, Sir William Houldsworth, Sir Albert Rollit, Mr. Illingworth, Mr. Maclure, Mr. Stansfeld, Dr. Cameron.*)

[BILL 11.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be read a second time on Friday."

MR. T. M. HEALY (Longford, N.) rose to a point of Order, and asked Mr. Speaker if, under the Resolution the House had that day passed, the suspension of the Rule closing debate at midnight only applied to the debate just concluded, and then, seeing that 1 o'clock was passed, should not Mr. Speaker, under the One o'clock Rule, at once vacate the Chair without Motion put, the remaining Orders of the Day standing over until the next day's Sitting?

MR. SPEAKER said, the House passed a Resolution providing that the debate on a particular Motion should not be interrupted at 12 o'clock, and at the termination of the proceedings for which such provision was made the operation of the usual Rule, until then suspended, began.

MR. T. M. HEALY said, he submitted, simply for ruling, and not as argument, that it was only in regard to a particular Motion leave was given, and that then the One o'clock Rule remained absolute.

MR. SPEAKER said, he would remind the hon. and learned Member that the Rule to which he alluded had reference to Morning Sittings.

Question put, and *agreed to*.

Second Reading *deferred* till *Friday*.

COUNTY COURTS (IRELAND) BILL.

(*Mr. T. M. Healy, Mr. Clancy, Mr. Chance, Mr. Maurice Healy.*)

[BILL 166.] SECOND READING.

Order for Second Reading read.

MR. T. M. HEALY (Longford, N.) asked the hon. and learned Solicitor General for Ireland (Mr. Madden) if the Government proposed to offer opposition to the Bill?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) said, he would not say that ultimately the Government would object to the Bill; but he would ask that the second reading should be postponed to next week.

Second Reading *deferred* till *Monday* next.

CONSOLIDATED FUND (No. 2) BILL.

(*Mr. Courtney, Mr. Chancellor of the Exchequer, Mr. Jackson.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Jackson.*)

DR. TANNER (Cork Co., Mid) said although the hour was late, he certainly thought the hon. Gentleman in charge of the Bill, who invariably made a courteous response to any request addressed to him, should offer some explanation of the Bill and why the country had to pay this amount of money. The right hon. Gentleman who had charge of the arrangement of Government Business would do wisely if he brought on these Money Bills at a time when some discussion would be possible for the public benefit, and not after a tedious sitting and a succession of long speeches to which Members of the Government had largely contributed. It was not becoming that large sums of money should be voted away and not a word said as to why they were granted. Let right hon. Gentlemen, who were public servants, explain to the public why they asked for the money; and if any points required discussion let them be debated, seeing that the suspension of the Rule allowed the sitting to be prolonged *ad infinitum*, though, for his own part, he was averse to a sitting being prolonged for the purpose of forcing through such a measure. He added one more to the many protests he had made against these Bills being taken at an hour when many hon. Members interested were absent, having had no intimation that such Business would be brought on. When there was such an outcry against the waste of public money, it was more than ever the duty of hon. Members to discuss these financial items; but the Government took upon themselves time after time to endeavour to sneak through some measure of the kind, always ready with the excuse that, like the baby in the *Midshipman Easy* story, "it was such a little one." But by a little at a time they managed to get through a great deal of money, and speaking in all solemn earnestness, and certain that many Members shared his view, he declared it highly improper to pass important Money Bills at that late hour without some protest against such discreditable manœuvres on the part of Her Majesty's Government.

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.), said, the hon. Member was a little hard upon him.

DR. TANNER: No; never hard on you.

MR. JACKSON said, it would be very much more to his satisfaction if he were able to bring on these Bills earlier. But the hon. Member was under some misapprehension, this was no question of proposing a Vote of money; the Bill merely gave effect to a Vote the House had already passed. The House had voted the money in Committee of Ways and Means, and in accordance with the Resolution this Bill was introduced. Therefore, he hoped the doubts of the hon. Member would be dispelled, and he might rest assured that whenever an opportunity offered of bringing on these Bills earlier it should be taken advantage of.

MR. T. M. HEALY (Longford, N.) said, the practice of setting down Government Orders on a private Members' day was quite an innovation. To the Bill in its present stage he had no objection, and he was quite sure his hon. Friend would withdraw his opposition, but a protest against this insidious practice of the Government was not out of place. Already the Government had acquired a large proportion of the time

usually allotted to private Members, and were about to ask for more; but not content with their large powers, they set down these Bills on Tuesday. On such a practice the House should look with great jealousy, and hon. Members should preserve to themselves such shreds of the public time as they yet retained. He took the opportunity of acknowledging the correction of Mr. Speaker on the point of Order he raised earlier.

SIR ROBERT FOWLER (London), said, the rule by which these Bills were taken at any hour of the night originated in 1870, and under an authority that hon. Members opposite should respect—that of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone).

MR. CONYBEARE (Cornwall, Camborne) said, a word of protest was due from an English Member, for it would not be quite seemly to leave a protest of this kind—first, against the impropriety of taking Money Bills at so late an hour, and, secondly, against the monopoly of private Members' time by the Government—entirely in the hands of hon. Friends from Ireland. He only now wished to emphasize the protest he and others had made on previous occasions, that it might not be said they had less regard for the interests of the country than hon. Gentlemen who came from the other side of the Channel. As to the usual *tu quoque* of the worthy alderman, it mattered not a straw whether it was the right hon. Gentleman the Member for Mid Lothian, or any one else, who in 1870 laid down any Rule of the kind. Many things had happened since then, ideas had changed, and Members of the advanced Democratic Party said, no matter who passed the Rule, it was a monstrous injustice to the people and a scandal to the House that public money should be voted at such an hour.

SIR JOHN SWINBURNE (Staffordshire, Lichfield) said, he hoped the hon. Member would not withdraw his opposition. It was a growing habit of Her Majesty's Government to ask for a Vote of many millions on account, promising Members that there should be opportunity for full discussion when the Votes came on. But what did this amount to? The other night afforded an example. The right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith) interrupted a debate of great interest, after it had proceeded for an hour and a-half, by moving the closure. Then the House was asked to pass the stages of the Bill at any hour quite as a matter of form. He hoped the protest would be sufficient to induce the Government to postpone the Bill to a Government day.

MR. ARTHUR O'CONNOR (Donegal, E.) said, the Bill provided for the advance of some £5,500,000 sterling for Consolidated Fund purposes, and it also gave the Government power of borrowing that amount. But the limit of interest to which the Government was tied was 5 per cent. Now, inasmuch as the Government had been pluming itself on the ability to borrow at less than 3 per cent, and had converted 3 per Cents into 2¾ per Cent Consols, it struck one at first sight, in the absence of any explanation, that it was rather a strange thing that for this comparatively small sum the Government should take power to pay at the rate of 5 per cent on advances in connection with this particular Bill. Could the hon. Gentleman the Secretary to the Treasury explain that apparent anomaly?

MR. JACKSON said, it was only with the indulgence of the House he could speak again. No change, so far as the Bill was concerned, was made as compared with its predecessors, and, as formerly, it included the power of borrowing money if necessary; and upon the possibility of borrowing being necessary, it was always usual to insert the maximum rate of interest, 5 per cent. But, as the hon. Member knew, the Government could borrow money at much less than that rate; the last Treasury Bills, he believed, were granted at a trifle over 1 per cent.

MR. ARTHUR O'CONNOR: Then, why insert 5?

MR. JACKSON said, it was a purely arbitrary figure inserted, beyond which the Treasury might not go; but there was not the least intention of giving 5 per cent, or anything like it.

MR. HENRY H. FOWLER (Wolverhampton, E.) said, he hoped opposition would not be persisted in to what was a purely formal measure. It was too late to raise the questions as to the expenditure involved in a Ways and Means Bill. He agreed with much that had been said about taking Votes at a late hour. The Civil Service Votes were in a state of arrear, for which he believed there

was no precedent in recent years. But this being a purely formal stage, the Government might in fairness claim that the third reading should be taken now.

MR. J. E. ELLIS (Nottingham, Rushcliffe) said, he was glad to hear these remarks of the right hon. Gentleman as to the condition of Supply, and he hoped the hon. Gentleman the Secretary to the Treasury would convey to the right hon. Gentleman the First Lord of the Treasury the strong view that was entertained that very soon the House should have the opportunity of fairly considering Votes in Committee of Supply.

MR. JACKSON said, the hon. Gentleman would very soon have that opportunity.

MR. BIGGAR (Cavan, W.) said, he had listened to the conversation, and it seemed to him they were rather being taken advantage of in being detained until half-past 1 o'clock, when they ought to have gone home when the debate of the night closed; and to put his protest into form, he moved that the debate be adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Biggar.*)

MR. CHANCE (Kilkenny, S.) said, he seconded that Motion. In addition to the observations offered in the first instance against proceeding with the Bill, now his hon. and learned Friend the Member for North Longford (Mr. T. M. Healy) had drawn attention to the practice of putting down Government Bills on private Members' nights, and reprobated that objectionable practice. Then he learned, from the course of the discussion, that this was merely a formal measure, and since that was the case, and there was an objection on principle to its being taken on a private Members' night, the Government might generously yield the point, and defer the Bill to Thursday. The result would be no injury would be done, while there would be an admission that the practice was a novel one, and it might be accepted as a pledge that the Government would not persist in the evil practice.

MR. E. ROBERTSON (Dundee) said, he desired to join in the appeal.

MR. J. G. TALBOT (Oxford University) rose in his place, and claimed to move, "That the Question be now put."

MR. SPEAKER not assenting,

MR. E. ROBERTSON, continuing, said, it was said this was a purely formal Motion, and on that ground they were appealed to to withdraw opposition. But he was not prepared to admit that any proceeding of the House was purely formal. It was the right of any Member to rise upon any proposal connected with the proceedings of the House. If the hon. Member persisted with his Motion he would go with him into the Lobby.

MR. JACKSON said, he did not think he should be consulting the convenience of the House if he entered at that hour into an unseemly wrangle. Hon. Members had rightly described this stage of the Bill as formal; but it was, unfortunately, one of those formal stages necessary to pass before the Government could use the money. He would point out to the House that the postponement of these matters placed the Government in a very awkward position for carrying on the Service of the country. The Bill had been down on the Orders for some time—he would be extremely sorry to use words that might give offence to any hon. Member — but everybody must clearly understand that this purely formal Motion, supported by his right hon. Predecessor in Office from the other side, was, notwithstanding this appeal, opposed—this formal third reading stage of a Money Bill, necessary for carrying on the Business of the country—was opposed simply for the sake of putting the Government in a difficulty. [An hon. MEMBER: The novelty of the practice!] There was no novelty in the practice of putting down a Bill founded on a Resolution in Ways and Means, and necessary to provide money for the Service of the country, day by day, for successive stages. He was speaking in the hearing of those who had knowledge of the usual practice. However, having regard to those who had long been sitting in the House, and the officers of the House, he would not resist the Motion which had been made. But he hoped the House would understand the reason why he assented to it was, because opposition had been most unreasonably raised to a purely formal Motion.

MR. T. M. HEALY said, before the Motion was agreed to, he should like to say that if the right hon. Gentleman the Leader of the House had thought proper

to give an answer to a very reasonable Question put to him early in the day as to a Morning Sitting on Friday, the Government might have met with a very different reception from below the Gangway. He put a Question to the right hon. Gentleman the First Lord of the Treasury as to Friday's Business, and instead of receiving the information he sought, he was not even told if there would be a Morning Sitting or not. Therefore, to say that a formal stage had been refused merely to spite the Government, when, on their part, the Government refused to answer a most respectful Question, was to make a complaint that reciprocity was not all on one side. The hon. Gentleman probably was wise in terminating an unpleasant controversy by postponing the Bill, though, so far as he (Mr. T. M. Healy) was personally concerned, he would have been glad to accede to the request to pass the Bill, and had said as much, but let it be understood that complaints of want of courtesy did not rest entirely with the Government.

MR. JACKSON said, he hoped the House would allow him a word in defence of his right hon. Friend, who was absent. The hon. and learned Member was doing his right hon. Friend an injustice. He could not answer the Question when it was put to him, simply because the Order of Business was not then settled, and could not be settled until to-morrow. It was quite impossible for his right hon. Friend to give the information.

MR. T. M. HEALY said his Question was whether there would be a Morning Sitting.

Mr. JACKSON said, not even that was settled, but the hon. and learned Member should know between this and Thursday. There was not the least desire to be discourteous, and no one was more desirous to avoid that, and to meet the wishes of the House, than his right hon. Friend; but the fact was, it was impossible for him to give the information asked for.

SIR JOHN SWINBURNE said, it was in no spirit of factious opposition that hon. Members on that side had acted in regard to the Bill. It appeared to him that the Government Business was conducted in a remarkably loose way, if they were unable to say on Tuesday what Business they proposed to take on the Thursday and Friday. Equally extraordinary was the statement that the conduct of the Business of the country would be seriously interfered with if the final stage of a Money Bill was postponed for 48 hours.

Question put, and *agreed to.*

Debate *adjourned* till *Thursday.*

House adjourned at twenty minutes before Two o'clock.

HOUSE OF COMMONS,

Wednesday, 27th June, 1888.

MINUTES.]—PRIVATE BILL (*by Order.*) — *Second Reading*—Channel Tunnel (Experimental Works), *put off.*

PUBLIC BILLS — *Ordered* — *First Reading* — Statute Law Revision (Master and Servant) * [310].

Second Reading — Occupiers' Disqualification Removal [110].

Committee—Oaths [7]—R.P.; Solicitors (Ireland) [140]—R.P.

Committee—Report—Supreme Court of Judicature (Ireland) Act (1877) Amendment [281-309].

Third Reading—Libel Law Amendment [17-294], and *passed.*

PROVISIONAL ORDER BILLS—*Second Reading*—Elementary Education Confirmation (Birmingham) * [304].

Report—Local Government (No. 5) * [265].

Considered as amended—Tramways (No. 3) * [243].

ORDERS OF THE DAY.

—o—

CHANNEL TUNNEL (EXPERIMENTAL WORKS) BILL.—(*by Order.*)

SECOND READING.

Order for Second Reading read.

SIR EDWARD WATKIN (Hythe), in moving the second reading, said, that the Bill was promoted by 600 or 700 gentlemen and a few ladies. Among the number were Members of that House and Members of the other House of Parliament, together with representatives of the great staple industries and commerce of the country. He wished they could have had upon the present occasion a more effective advocate.

There had been a good deal of letter and pamphlet writing on the subject, and a considerable amount of misconception and misrepresentation in regard to it. Only that morning there was an article in *The Times* to which he wished to direct particular attention. It contained one of the most glaring misstatements he ever remembered to have read. The article said—

> "We are promised a great increase of trade if we construct a Tunnel and avoid the breaking of bulk; but the fact is judiciously ignored that bulk will have to be broken all the same, because the Continental railway gauge is different from ours."

In regard to that statement, he could only say that the carriage of His Royal Highness the Prince of Wales, built in England on the English gauge, had travelled all over Europe without break of gauge, except in regard to one part of it. Scientifically speaking, no doubt the English gauge of 4 feet 8½ inches was not the gauge of France, Germany, Italy, and Austria, where they used a decimal system of measurement, and there might be a hair's breadth of difference between the gauge of England and on the Continent. The only exception to that substantial continuity was to be found in Russia, where, undoubtedly, there was a different gauge, and goods sent to Russia had to be broken in bulk. He had now to return his thanks to the Leader of the House for having given that day for the discussion of what he ventured to think was one of the most important questions that could be discussed in the industrial and commercial interests of the country. The right hon. Gentleman, no doubt, would have given a better day, if it could in any way have been conceded; but he had been good enough to say that the question, so far as the action of the Government was concerned, would be treated as an open question, and not as one in regard to which every Supporter of the Government must of necessity vote the same way. He hoped, therefore, that those hon. Gentlemen who carried the rod for the benefit of hon. Members on the other side, would kindly bear that declaration in mind, and not attempt to put any pressure on the ordinary Supporters of the Government, but would in this matter respect the just wishes of the Leader of the House. He thought he might, in return for the kindness of the right hon. Gentleman, call on the Leader of the House to express his sentiments and views in regard to the construction of a Tunnel under the Channel. Undoubtedly, in past times, the right hon. Gentleman was very much in favour of such a means of communication; and, undoubtedly, also, when a Member of the Governments of Lord Derby and Lord Beaconsfield, he was the medium of communications with France, intended, as far as possible, to unite the two countries on the question. He did not think he would be contradicted by anybody when he said that the Government of the Liberal Party and of the Tory Party each coincided in conducting negotiations which led to a complete arrangement between the two countries in favour of the construction of the Tunnel, and led further to the drawing up of a Convention conducted on the part of England by the hon. Member for Great Yarmouth (Sir Henry Tyler) and others; and on the part of France by certain Commissioners, which Convention was laid on the Table of the House in 1876. The question before the House was hardly a question whether there ought to be a Tunnel under the Channel or not. The Bill before the House was to enable the experiments, which had so far been successful, to be continued, but it contained also, he admitted, provisions under which, if the experiments were successful throughout, the Government of the day, and the Government of the day only, should have power to decide whether the experimental works should be widened into permanent works, and the Tunnel be completed. If the right hon. Gentleman the President of the Board of Trade thought it would be better to have those clauses struck out of the Bill, and to confine the measure simply to the continuance of the experiments, the promoters of the Bill would make no objection, although they would regret it. They would regret it because it had always been thought that a great work of this kind, even it were conducted in the first instance by private enterprize, ought to become a National work. It had never been believed by those for whom he spoke that a great structure of this kind should be possessed by private persons, and, there-

fore, there had been an endeavour in drawing the Bill to facilitate future arrangements which might be considered the most salutary to the country. With regard to experiments, he would remind hon. Members that on two or three previous occasions the House had deliberately, by enactment, sanctioned the prosecution of experiments in order to show whether a Channel Tunnel could be made or not. Therefore, he was asking the House to sanction no new legislation, but merely to enable a number of private individuals, who had done the public service by devoting their time and money to an attempt to solve the question, to provide, as a joint stock company, further money, with a view of solving the question whether the Tunnel could be made or not. The article he had quoted from *The Times* of that morning spoke very doubtfully as to whether the continuity of the *stratum* through which the Tunnel would have to pass was an ascertained fact. Now, the measures were in the same position and of the same thickness on both sides of the Channel, and if any doubt existed as to the reasonable proof of continuity, he thought that would be an argument for allowing the experiments to proceed. At the same time, he was bound to say that the French Tunnel Company, who held a Charter under the French Government, had made about 11,000 soundings of the Channel, and if there had been any fault or any breach of continuity between the two sides of the Channel, the geological presumption was that that fault would have been discovered. The position of the matter at present was this—a Convention had been made with the French, but that Convention had either been suspended or, as the French asserted, broken on our side, although the French had laid out their money on the solemn assurance that this country would allow similar works to be constructed on the English side of the Channel. On the French side £80,000 had been expended on works on the faith of the experiment being allowed; but, of course, the works were at a standstill, and no interest could be paid on the capital invested. No doubt they felt aggrieved, and perhaps the right hon. Gentleman the President of the Board of Trade, in replying to him, would kindly say what Her Majesty's Government intended to do in regard to the great sacrifices which had been made by the house of Rothschild and others in reference to the experiments.

MR. HOWARD VINCENT (Sheffield, Central): On the French side?

SIR EDWARD WATKIN: Yes. On this side about £60,000 had been expended; but the expenditure had been useless, for they were interdicted from making one single turn of the boring machine without the permission of the Board of Trade. The work on the two sides had been carried altogether for about 2¼ miles; so that about one-tenth of the distance had been experimented upon. They did not propose to ask anyone to subscribe capital for a permanent Tunnel until it was proved to demonstration that the work could be done. Therefore, they desired to have a drift-way cut from one side of the Channel to the other. He did not think that even that "small hole," as it had been called, would be useless, because it might be utilized for the passage of telegraph wires, and the transmission of Her Majesty's mails, to the great advantage and profit of the country, even if the Government of the day did not think it desirable to construct a complete Tunnel through which passengers, baggage, and all kinds of material could pass. That being their object—namely, to complete the drift-way, and, therefore, render it certain, or absolutely uncertain, that the Tunnel could be made, the period of suspension inflicted upon them, unjustly and needlessly, as they believed, by the Board of Trade, had not been entirely lost. They had made experiments in regard to ventilation, as to the kind of carriages to be used, also in respect of the electric lighting of the Tunnel, and as to the mode in which the trains, whether containing goods or passengers, could be lifted up from the Tunnel to the level of the surface of the ground. They had invented a locomotive to work by compressed air, and it had been a great success. The present arrangements seemed to be more costly than steam; but, at the same time, it was found that it could be done at a moderate increase of cost compared with the cost of propulsion by steam. That locomotive would do exactly what the Tunnel machine did when it was worked. Compressed air was used at a pressure of about 20 lbs. to the square inch, and, as the machine turned or the engine moved,

the compressed air came out again, thus disposing of all the nonsense which had been uttered about the ventilation of the Tunnel. In regard to lighting the Tunnel, they had taken the advice of the late Sir William Siemens, undoubtedly a very high authority, and improving on that advice, they prepared a scheme by which the Tunnel could be admirably lighted; in fact, made as light as day. The trains would be lifted to the surface by hydraulic power. He came now to the military objections to this Tunnel, and he had something to say about those objections. He proposed to answer one soldier by another soldier. The proposal, he repeated, was to lift the train bodily from the Tunnel level to the ground level, and there was no difficulty about that, as, with the hydraulic system, they might lift almost anything they pleased. That would shorten the length of the Tunnel and place the carriages on the upper level sooner than by any other means. Under those circumstances it seemed to him that the notion of pouring millions of men through the Tunnel from all parts of Europe rather fell to the ground. That was the general position and the general intention of the promoters. The real question that day was whether they were to have their most reasonable request granted, and be allowed to continue these experiments. He must say that he was astonished at any Member of a Department, or of an intelligent Government, interfering with scientific experiments of this kind, especially in connection with a country like this, where every ascertained fact was turned by merchants and traders into money. If the experimental works had not been stopped about five years ago by the Board of Trade, they would have been completed in time to have allowed the placing of a likeness of Her Majesty in the centre of the Tunnel and in time to take possession of that part which was under the sea for the British Empire in the year of Her Majesty's Jubilee. The responsibility of not doing so was not theirs, but that of the Board of Trade. Simple-minded people had an idea that the Board of Trade was intended to protect enterprize, and not to obstruct it. He had already spoken of the right hon. Gentleman the Leader of the House, but he could quote the names of a great many personages who had been, and many of whom still were, in favour of the construction of this Tunnel. At the head of the list was the late Prince Consort. He knew it had been denied, or doubted, that the Prince Consort ever expressed himself as in favour of the construction of the Tunnel, and therefore he had obtained a public document which had been published in English, French, German, Italian, and Spanish, and circulated in 1867, the year of the great French Exhibition, which gave a history by the French Tunnel Projectors of the initiation of the enterprize, in which approval of the scheme was expressed by the Prince Consort. The late Mr. Cobden was also in favour of it, and spoke of the construction of a submarine Tunnel as the best means of securing a true alliance between the two countries. He thought that England would become isolated, and more and more restricted in regard to that continuity of transit which existed almost throughout Europe. The book he quoted contained this passage—

"The first time that we had the opportunity of talking to Lord Palmerston on the subject of the Submarine Tunnel, we found him at first rather close. 'What! you pretend to ask us to contribute to a work the object of which is to shorten a distance which we find already too short!' We expressed to him our wish to talk of it to Prince Albert in his presence, and to that he very kindly consented. The Prince Consort had supported this project with truly enthusiastic sympathy. His reception, therefore, was most kind. He entered into conversation, in which the Prince unfolded all the advantages which his elevated mind foresaw for England in the creation of a road to the Continent. Lord Palmerston, without losing that perfectly courteous tone which was habitual with him, made, however, a remark to the Prince which was very rude at bottom—'You would think quite differently if you had been born in this island.' We were ourselves perfectly stupefied with this unexpected apostrophe. To make Prince Albert, whose love of the country of his adoption was well known, feel that he was a foreigner, was shocking to us, and we felt deeply hurt. Some days after we went to excuse ourselves with the Prince Consort for having been the cause of this disgraceful incident. The Prince appeared not to have been offended, and told us that he had received that innocent dart as one of the frequent sallies in which *Pam* dealt. Then he added, that he had said a few words about the Submarine Tunnel to the Queen. Her Majesty had been graciously pleased to answer him in these words—'You may tell the French engineer that if he can accomplish it, I will give him my blessing in my own name, and in the name of all the ladies of England.' Lord Palmerston knew this, and whether it worked a sudden change in his thoughts, considering it as public opinion, or

Sir Edward Watkin

whether he was really not so disposed to resistance as he had appeared to be, he said frankly one evening at a numerous party, at which the Tunnel was spoken about—'This project will be carried out, because it is respectable, and because it is favoured by all the ladies of England.' On his side Richard Cobden said at a public meeting—'I consider the Submarine Tunnel as the true arch of alliance between the two countries.'"

He imagined that the late Lord Derby was no mean authority with hon. Gentlemen opposite as to the interests of the country. Well, Lord Derby must have believed that this was an enterprize which ought not to be discourged, and could have had no belief in the scare in regard to it which distracted the minds of other persons. Therefore he sanctioned the convention with France. The notion of connecting England and France together by a Tunnel originated in this way—57 Members of Parliament, an Archbishop, and a great many merchants, traders, lawyers, and scientific men sent a memorial to the Emperor of the French, asking him to consent to such an undertaking. The Tunnel was thus initiated on this side of the water, and if ever it were made, as he believed it would be made to the great advantage both of England, France, and every civilized nation, the credit would be due to Lord Richard Grosvenor, as he was known in that House, or Lord Stalbridge, as he was known in the other House; and also, whatever their present opinions might be, to the house of Rothschild. There had been plenty of supporters of the Tunnel, and many opinions in favour of its construction expressed on the part of leading persons in this country with regard to it. The newspapers also were, at no distant date, strongly in favour of the construction of the Tunnel. He would read an extract from a letter written by a very remarkable man, the late Sir Moses Montefiore, who died in 1885, at the age of 101. In 1882, Sir Moses Montefiore wrote this letter to him—

"The receipt and perusal of your esteemed note has afforded me great pleasure. In thanking you, which I do most heartily, for your kind offer to accompany me on a visit to the works of the Channel Tunnel, I regret to say that the state of my health is such as to preclude the possibility of my availing myself at present of the honour you have most kindly proposed to confer on me; but I do not give up the hope of attending its christening, and of hearing his Grace the Archbishop of Canterbury name it. I am one of those who think that every great work—and such the Channel Tunnel undoubtedly is—should bear the name of its promoter, and that no undertaking can prosper without the blessing of God."

In an article on September 11th, 1873, *The Times* said—

"On our side of the Channel everything that contributes to the development of French commerce, or that adds to the stake held by the French nation in the friendly rivalry in which there are no vanquished, will be regarded with feelings of unmixed satisfaction. An improvement which brings Paris 90 minutes nearer to us will probably induce many Englishmen to go twice where they go once under the existing conditions, and a submarine railway or a harbour in connection with a line of steamers warranted to prevent sea-sickness, would take travellers across on pretexts as slight as those which now bring the residents in the Provinces to spend 24 hours in London. To make France as accessible as Scotland, and far more accessible than Ireland, would be to have the *entente cordiale* on such conditions of mutual satisfaction and advantage that it is difficult to conceive the circumstances under which they could be broken down."

On December 8th, 1874, *The Times* again referred in approving words to the Tunnel, and spoke in high terms of the excellence of the project. On the 30th of January, 1875, *The Times* said—

"The project of a Channel Tunnel has now been finally sanctioned by the Governments of Great Britain and France. In France some difficulty arose from the Law of 1841, which required that the project should be declared 'of public utility' before an official concession in its favour could be definitive, and not merely contingent; but, as our Paris correspondent stated yesterday, the difficulty has been overcome, and this formality will have been completed before the passing of the Bill which the Minister of Public Works has laid before the Assembly. A despatch, dated January 26, intimated the consent of the English Government to the proposed arrangements, subject to certain conditions—among others, that the right to suspend traffic on war being imminent shall be an express article of the agreement, and that the exercise of this right shall be made no ground for claiming indemnity. The French Government has assented; but thinks it just that a term of extension equal to such suspension of traffic should be given to the 99 years' concession and the 30 years' monopoly. Seventy-three Chambers of Commerce have been consulted, and all approve, twenty-seven of these demanding, however, that there should be no indefinite monopoly, but that the State should have power to purchase, and that a tariff of maximum rates should be fixed. Whatever may be the practical result of this great enterprize—and we wish it all success—it will always remain an honourable example of persevering scientific effort and of international co-operation for the common good."

He would not trouble the House with more than he could help, but he wanted to show the Government and the House that as far as the newspapers were con-

cerned, they were at the time in favour of the enterprize. It may be said there had been a change of opinion, but he was afraid there had only been a change of editors. *The Daily Telegraph* on the 2nd December, 1868, said—

"No guarantee is asked, if, as these three Englishmen and also one very scientific French engineer firmly believe, the Tunnel is feasible. We have not forgotten that, alone among his Colleagues, Mr. Gladstone, as Chancellor of the Exchequer, was disposed to give a Government guarantee to the *entrepreneurs* of the Atlantic Cable."

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I am afraid that is a mistake.

SIR EDWARD WATKIN said, the right hon. Gentleman informed him that it was a mistake about the guarantee. *The Daily News* of the 2nd January, 1875, spoke favourably of the project, and said—

"The opening of such a communication between this country and the Continent will be a pure gain to the commercial and social interests on both sides. It obliterates the Channel, as far as it hinders direct communication; yet keeps it intact for all those advantages of severance from the political complications of the Continent, which no generation has more thoroughly appreciated than our own. The commercial advantages of the communication must necessarily be beyond all calculation. A link between the two chief capitals of Western Europe which would annex our railway system to the whole of the railways of the Continent would practically widen the world to pleasure and travel, and every kind of enterprize. The 300,000 travellers who cross the Channel every year would probably become 3,000,000 if the sea were practically taken out of the way by a safe and quick communication under it. The journey to Paris would be very little more than that from London to Liverpool. It is, however, quite needless to enlarge on these advantages. The Channel Tunnel is the crowning enterprize of an age of vast engineering works. Its accomplishment is to be desired from every point of view; and, should it be successful, it will be as beneficent in its results as the other great triumphs of the science of our time."

He now desired to say a word or two in regard to the military objections. The hon. and gallant Gentleman (Sir Edward Hamley), who was a Member of that House, wished to have spoken upon the question last year, and intended to follow the Secretary to the Board of Trade. It must be remembered that a Division was taken somewhat suddenly, at the request of the right hon. Gentleman the Leader of the House. The request was a reasonable one, and was therefore complied with. The next day the hon. and gallant Gentleman, who had been unable to take part in the debate, wrote a letter to *The Times*, and he (Sir E. Watkin) took it for granted that the objections stated in that letter were the objections of that section of the military classes who opposed the construction of the Tunnel as being dangerous to the State. The objections of the hon. and gallant Gentleman were similar to those that were put forward on a previous occasion by the Under Secretary to the Colonies, then Secretary to the Board of Trade (Baron Henry de Worms), but his arguments were demolished in three words by the Chairman of Committees, who spoke of them as a "combination of bogeyism and fogeyism." The gallant general said—

"I will now take the other case. I will suppose that an invasion should take place after the making of the Tunnel—that is to say, when there is a great highway between France and England, the possession of both ends of which would render the invader independent of the sea. Of course, we hear it insisted on that we could always prevent the enemy from using the Tunnel, either by partially or completely destroying it. Now, that a work of this extensive character, involving such an amount of labour and such expenditure, should be absolutely and permanently destroyed, possibly on a false alarm, is what I refuse to believe. I do not believe that shareholders would be found to join in an undertaking that might be liable to such a catastrophe. I, therefore, dismiss the question of complete destruction, and assume that either our end of the Tunnel would be blocked, or some partial destruction would be resorted to. Now, there are many parts of our Southern Coasts where large forces can be thrown on shore, under cover of the fire of their warships, superior to what we could at the moment assemble; and, therefore, secure of possessing themselves of a certain area beyond the immediate landing place. If they were thus landed at or near Dover, they would assuredly seize the mine of the Tunnel and open it, whether by repair or otherwise. Thus it would be rendered available for the enemy, and what would we then see? Night and day a storm of troops and supplies would be pouring through the Tunnel, possibly under the heels of our victorious, but helpless, Channel Fleet. Now in this case—and I would impress this point—it would no longer be a contest between two armies, but between the entire military resources of France on the one side, and what we could oppose on the other—and who could doubt the result, if France could bring all her trained armies, all her vast military establishments, to bear upon us? And who can doubt that in the Treaty which would ensue, a main article would empower her to hold our issue of the Tunnel and to protect it by works on the heights of Dover? And this thorn in our side—in our vitals—we might never be rid of."

An hon. MEMBER asked who the gallant Gentleman referred to was?

SIR EDWARD WATKIN: General Sir Edward Hamley.

MR. SPEAKER: Order, order!

SIR EDWARD WATKIN said, he meant the hon. and gallant Member for Birkenhead (Sir Edward Hamley), whose name he had used in answering the question instead of the place he represented. The hon. and gallant General had had great experience, and had published a book which he hoped would assist in the manufacture of many excellent soldiers. They knew that in the Convention concluded and laid before the House in 1876, provision was made for closing the Tunnel in the event of war. That point had not been neglected. Sir Frederick Bramwell and Mr. Brady, their engineers, and no mean authorities, said that by a simple arrangement the Tunnel could be closed by drowning a portion of it in three minutes, while it would take three months to pump the water out again, even if there were machinery on the spot. Then, again, they had designed a machine by which a Minister of the State or any responsible military officer in any part of England, by touching a button, could explode a mine and blow up the entrance of the Tunnel. They had, in fact, 30 different modes for closing or destroying the Tunnel; therefore he wished it to be understood that they had anticipated all these objections, and he thought if the hon. and gallant Member for Birkenhead would devote his attention to what had been proposed before he wrote letters to newspapers, it might lead to a better result. He had said that he would answer one soldier by another soldier. He would answer the hon. and gallant Member for Birkenhead by quoting the opinion of a gallant officer who had been one of his own pupils—he meant Colonel Hozier. Everyone knew that Colonel Hozier was a gallant soldier, and that he had had an advantage which no other officer had of having been the correspondent for *The Times* in the war in Denmark, in the war between Prussia and Austria, and in the Franco-German War. On each occasion he had served on the Staff of the Crown Prince, the late Emperor, whom he described as the noblest man he ever met, and no one knew better than he did the opinions of German military men on this and many other questions. Colonel Hozier said—

"It has been argued that, if the Tunnel existed, we might be defeated somewhere else and be obliged to surrender it and allow our enemies to use it as they liked. If we were so heavily defeated as to have to make any terms our enemies chose, would not the first demand be, 'Give up your Navy?' We must never be defeated, but keep up the Army and Navy at such a strength that such a contingency could not be possible. Another objection is, that we shall get slack in the course of time, and allow our sentries to get negligent, and some one might arrive and take us; but if our sentries are so liable to be negligent, and our outposts to be so careless, we ought to be anxious at the present moment. Why should not Gibraltar be seized to-morrow by the Spaniards? The sentries there have not yet gone to sleep. If our soldiers are not to be trusted, what is the good of building fortifications? This argument against the Tunnel is the fantastic idea of some disordered imagination."

He (Sir Edward Watkin) quite agreed with the opinion that we must never be defeated, and he would go very far with hon. Gentlemen on both sides of the House in increasing our Army and Navy in any way that was deemed necessary. He advocated the construction of the Tunnel, because he believed that it would be one of the best means of defence, and, at times, of offence, which could possibly be provided. It was Colonel Hozier's opinion that the arguments against the Tunnel were only the fantastic idea of a disordered imagination. One ground on which the advocates of the Tunnel relied was that it formed a second line of supply in case the sea was closed to us, and assuming that we were not at war with France. He would read a few words that were uttered by the noble and gallant Lord the Member for East Marylebone (Lord Charles Beresford), who took such deep interest in the Navy. The noble and gallant Lord remembered, no doubt, that we imported into this country 40 per cent of our food, and all of our raw material except flax from Ireland and the wool we got from our own sheep; and the noble and gallant Lord pointed out that if England were crippled at sea, we should be starved by a blockade. Then what we wanted was a second line of communication that would enable us to pour supplies into the country, and relieve us from the difficulty caused by the obstruction of our supply from America and other parts of the world. He maintained that it was necessary for the safety of the country that we should have a second line of supply, and not be altogether dependent upon the sea. The

construction of the Channel Tunnel would strengthen instead of weakening our military position. Foreign Nations would know that, unless we happened to be at war with France, of which he thought there was no probability, except through our own fault, it would be impossible to defeat us by stopping our supplies. Therefore, the construction of a Channel Tunnel was a project which would give us exactly that which we required. One contention of the promoters of the Tunnel was that the Governments of both countries, having once sanctioned the undertaking, neither could honourably retire. They maintained that it would promote and secure peace with France. What was France? France, it should be remembered, was not only our nearest neighbour, but our best foreign customer save one. The trade between France and this country amounted to £51,000,000 sterling per annum. People talked of France as if we had no interest in it at all. In the time of Queen Anne an Act was passed, declaring that trade with France was a common nuisance, and ought to be abated. That seemed to be the sentiment of the right hon. Baronet the President of the Board of Trade (Sir Michael Hicks-Beach). Those, however, were not the propositions which he (Sir Edward Watkin) laid down, and he wanted to know from the Government if they were prepared to take the responsibility of saying that we should never have under any circumstances, or at any time, a second means of obtaining our supplies irrespective of the sea. We might increase our Navy to any conceivable extent; but with the cumbrous and untried ships we had, and their immense weight, could anyone tell us that, at any moment, a naval disaster might not cripple the capacity of our Navy? Then, would Her Majesty's Government take the responsibility, before the House and the country, of saying that, under no circumstances would they ever sanction the formation of a second line of supply in the interests of our commerce and our people? What was England? Industry and commerce. Take away her trade and commerce, and what support would there be for her Forces, either on land or sea? It might be said that there was no great outcry for the Tunnel, but that was because no great agitation had ever been got up in its favour, as they believed they would one day find a Government sensible enough to rise above all fear and panic and look to the future from a broad and prudent point of view. The best national insurance we could possibly have was to provide a second line of communication independent of the sea. As far as foreign opinion went, the great strategist, Count Von Moltke, and other German officers, had distinctly declared that the idea of invading England through the Tunnel was perfectly absurd. Count Von Moltke said, they might just as well try to invade England through his library door. The proposal was to construct two single lines of tunnel, as it was believed they would be in every way better than one, and each would be about the size of the door of that chamber. Yet they were told that all the Queen's horses and all the Queen's men would be insufficient to enable them to defend two small holes of that nature against the enemy. He thought the whole thing was absurd on the face of it. The late Secretary to the Board of Trade, Sir Thomas Farrer, was an enthusiastic supporter of the Channel Tunnel, and another official of the Board of Trade, Mr. Giffen, gave evidence before a Joint Commitee. Being asked, with reference to the statement of the Commander-in-Chief and Lord Wolseley that the Tunnel would make it necessary to expend £3,000,000 in turning Dover into a first-class fortress, he said—

> "I have looked at the question from that point of view, assuming the statements that have been made by Lord Wolseley and the Duke of Cambridge, and others, in their military Reports on the matter; and what I should like to put before the Committee upon that subject is with regard to the expense of making a first-class fortress, which is one of the main points upon which Lord Wolseley and the Duke insist. The expenditure of £3,000,000 sterling would be equal to an annual charge of £90,000, and I think that would be quite an insignificant sum compared with the commercial advantages alone of the Tunnel, if it answers at all the expectations which the promoters put forward, and which I think to a large extent are well founded."

That was Mr. Giffen's opinion. If they had to expend this money in the way proposed, Mr. Giffen said the commercial advantages that would be gained would be so great that they would save money by doing so. He thought that Mr. Giffen's opinion ought to have some weight with the Board

of Trade. He would like now to ask another question—namely, why the Government took upon themselves the responsibility for refusing for all time to come, if they could, this second line of supply? What was the reason they resisted fulfilling the pledges which they, as a Conservative Government, gave through the right hon. Gentleman the present Leader of the House (Mr. W. H. Smith), by the instruction of Lord Beaconsfield—whom, he supposed, was still considered a sagacious man—and of Lord Derby? What was the reason why they had now changed their front, and refused to consent to this most reasonable proposition? He would put these points to the Government. Even with an increased Navy, as desired by the noble and gallant Lord the Member for East Marylebone (Lord Charles Beresford), England might be subjected to a naval reverse, even although the five men-of-war and the cruisers asked for by the noble and gallant Lord were provided. The noble and gallant Lord said, when interviewed by *The Pall Mall Gazette*—

"They are making a great fuss in the House of Commons about the defencelessness of London, &c., and so long as the Navy leaves something to be desired they are right in wishing to strengthen the Army; but I do, and I shall, insist that England must rule the seas, if she expects to rule anything. In the House of Commons four or five of us from the Navy stood against 20 times as many Army men, and so we had hard work to make ourselves felt; but is it not evident that were England beaten in the waters which form her only frontier, the enemy would have only to block her food supplies and let her starve? They would conquer us without striking a blow. England can never be saved by her Army. Therefore, as it is our sole hope, our Navy must be very strong, very much stronger. I maintain now, as I have always maintained, that we want five more men-of-war and 23 more cruisers. Then we will be safe, and not until then."

No man could say, as an infallible certainty, that whatever the extent of our Fleet we might not be subjected to naval reverses. Then, why should not Her Majesty's Government sanction a second line of communication which would prevent our being starved if blockaded? He wished to know why the Convention of 1876 was to be repudiated? No doubt, if it was repudiated it would be from a fear of France. The late President of France, M. Grévy, declared to a deputation of English workmen, who waited upon him three or four years ago, that—

"He regarded the Tunnel as a magnificent enterprize, and one involving the happiest effects. It was not, therefore, on that side of the Channel that any objection would be raised. France did not anticipate or fear invasion."

[An hon. MEMBER: Hear, hear!] "Hear, hear!" said the hon. and gallant Gentleman, and there they had the voice of prejudice at once. President Grévy made use of further expressions which were very important, and which he asked the right hon. Gentleman the President of the Board of Trade to answer if he could. The words were—

"But it was not for him to judge the pre-occupations of eminent Englishmen. It was in England that the opposition existed. They had addressed themselves to the French workmen, who were certainly in harmony with them[; but what influence could they exercise over public opinion in England? It was for England to reflect and decide. If England thought isolation and separation the best for her, she was the best judge. This was the only reply he could give so far as the Tunnel was concerned. No objection would be raised against it in France. It was purely an English question."

On this question what did foreign nations and our own Colonies say about the construction of the Tunnel? Why, our Colonies were almost to a man in favour of it. Everybody in the United States laughed at our fears, and they knew very well that if England belonged to the United States, which, perhaps, might be the case some day for anything he knew, did they think that 24 hours would elapse before they began to connect themselves with France? He believed that we should increase our power and our commerce by putting aside our prejudices. The construction of the Tunnel was chiefly opposed by men who had narrow naval or military views, who discussed the question in cabins and drawing rooms, by half-informed editors, and by men who knew nothing of the great work. Some of them could not pass a thoroughly good examination in geography, and knew nothing about the great commercial requirements of the day. In America, as he had said, they spoke with contempt of the fears with which we chose to indulge in in this country. In Australia, every man to whom he had spoken had expressed a strong opinion of the folly of pursuing the line of action

which the Government proposed to take with reference to this important question, and denounced our cruelty in compelling them, after they had crossed the ocean to visit us, unnecessarily to undergo all the horrors of the middle passage between this country and France. Caricatures were the laughing voice of nations. He would produce only two, out of hundreds issued in different parts of the world. One published in the United States represented the British Lion running away with his tail between his legs from one end of the Tunnel, with Lord Wolseley on his back, frightened by the crowing of a Gallic cock. Another cartoon, published in Spain, represented a British soldier with a great number of shells, swords, and guns around him, saying—"I am so afraid of being invaded." One man might be seen in the distance, and a few rats running out of the Tunnel. He was ashamed that we should allow ourselves to be made the laughing-stock of all nations. By doing so we were weakening our moral power and our *prestige*. He would conclude the few observations which the House had listened to so patiently and so kindly by quoting a letter which he stumbled across the other day. It was a letter written by the then King of Hanover to Lord Strangford, at the time of the opening of the Great Exhibition of 1851, in which he said—

"The folly and absurdity of the Queen in allowing this trumpery show must strike every sensible and well-thinking mind, and I am astonished the Ministers themselves do not insist on her at least going to Osborne during the Exhibition, as no human being can possibly answer for what may occur on the occasion. The idea of permitting 3,000 National Guards to come over *en corps*, and parade London in their side-arms, must shock every honest and well-meaning Englishman. But it seems everything is combining to lower us in the eyes of Europe."

He was afraid that the right hon. Baronet the President of the Board of Trade was animated by a similar spirit to that which had dictated the writing of that letter. He thanked the House for its indulgence, and he would only repeat his questions to the right hon. Baronet. He trusted that the right hon. Baronet would give him a plain, explicit, and unmistakable answer. Would the Government take the responsibility of preventing, if it could, for all time the construction of a second line of supply independent of the sea; would the Government explain to the House their reasons for their change of policy; and would they tell the House, if they objected to the construction of the Channel Tunnel as a means of national protection and national insurance, what they themselves would propose? He trusted that the House of Commons would not throw unnecessary obstacles in the way of one of the greatest works which had been conceived in modern times. The opinions of some of the best and most able men of the country were in favour of the project. He trusted, therefore, that the House of Commons would rise superior to the prejudices of the right hon. Baronet the President of the Board of Trade, and would do justice to the promoters of the Bill, by referring the Bill to a Select Committee, which was all the promoters asked. He begged to move that the Bill be read a second time, and be sent to a Select Committee to be inquired into in the ordinary way.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Edward Watkin.*)

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS-BEACH) (Bristol, W.): My duty in this case is to follow the example of those who have represented the Board of Trade in this House, and to move that this Bill be read a second time this day three months. The hon. Member has used a great many hard words with regard to the Board of Trade. I do not wish to go into the relations that have existed between the hon. Member and the Board of Trade; but if any complaint is to be made in respect to those relations, it should be made rather with regard to the conduct of the hon. Member towards the Board of Trade than that of the Department towards the hon. Member.

SIR EDWARD WATKIN: I rise to Order. Surely the right hon. Gentleman knows that I have had a letter from a former President of the Board of Trade thanking me for my conduct and for the very useful information which I had given to the Department.

SIR MICHAEL HICKS-BEACH: We have been told that the information given by the hon. Gentleman was neither candid nor accurate when the right hon.

Gentleman the Member for West Birmingham (Mr. J. Chamberlain) was President of the Board of Trade. But I do not wish to enter into that matter. It is not merely on Departmental grounds that I oppose this Bill; I speak on behalf of the whole of Her Majesty's Government. I saw the other day a most extraordinary statement that went the round of the Press to the effect that it was the intention of the Government to treat this matter as an open question. I did not contradict that statement; I treated it with contempt. But we have heard to day from the hon. Member that that statement was made upon the authority of no less a person than my right hon. Friend the First Lord of the Treasury.

SIR EDWARD WATKIN: Certainly.

SIR MICHAEL HICKS-BEACH: On the authority of the First Lord of the Treasury?

SIR EDWARD WATKIN: Yes.

SIR MICHAEL HICKS-BEACH: Then I can tell the hon. Member that that statement is absolutely without foundation.

SIR EDWARD WATKIN: Will the right hon. Gentleman say so himself? No; he will not do so.

SIR MICHAEL HICKS-BEACH: Yes; he will. These are the words which my right hon. Friend has authorized me to state to the House—

> "I told Sir Edward Watkin that the Government had considered his proposals, and had come to the conclusion that they would oppose the second reading; and, further, that the President of the Board of Trade would move its rejection, and, therefore, there must be Government Tellers."

SIR EDWARD WATKIN: That is quite true, but not all the truth.

SIR MICHAEL HICKS-BEACH: Therefore it is that I say that in moving the rejection of this measure I am doing so as completely on behalf of the Government as any of my Predecessors in Office in former years. At the outset of my observations I would deprecate the attempt of the hon. Member to minimize the importance of the Bill he has introduced. The hon. Member, in moving the second reading, described it as a Bill merely to authorize the continuance of a scientific experiment which it would be in the power of the Government of the day at any time to put an immediate stop to. But I know what would be the consequence if this House should, unfortunately, sanction the second reading of the Bill. The hon. Member himself would be the first to attribute great importance to the action of the House, and to assert that the House, by sanctioning the second reading of the measure, had not merely sanctioned the continuance of a scientific experiment, but had approved the principle of the construction of the Channel Tunnel. I will prove that by what the hon. Member has himself stated to-day. The hon. Member has put it before the House as a great grievance that whereas at one time the Governments of England and France looked with favour upon the scheme of the Channel Tunnel, and encouraged an experiment in which preliminary expenses were incurred, there was subsequently a change of policy; and he has actually suggested that, on this account, compensation ought to be given by the Government to a French firm which made this experiment and expended money under a French Charter upon the other side of the Channel. No, Sir; the fact is that we have before us a proposal to institute experiments which, if successful, would, according to the hon. Gentleman, be subsequently carried on to the completion of the works which he advocates. Therefore, the question we are asked to decide to-day is not a question of mere scientific experiments, but the principle of the Channel Tunnel. Well, Sir, I may say at once that I am opposed to that principle. I do not wish to discuss whether the construction of the Channel Tunnel is feasible. It may or may not be so, although that is a point upon which the hon. Member has not given the House or the public sufficient information. I do not want to dwell upon the sufficiency of the very varying estimates which at one time or another have been put before a credulous public—["Oh, oh!"]—Yes; I repeat before a credulous public, by the hon. Member, as to the amount of capital that would be required for the completion of such a work, or upon the probability of it proving a commercial success, if ever it were to be completed. These are matters upon which Parliament would certainly require to be fully and amply satisfied before they authorized the construction of this Tunnel. But those are not matters with which we have to deal

in the debate to-day. The hon. Member has adverted to the opinions which he says have been expressed on the idea of the construction of a Channel Tunnel by several persons. I leave the House to judge of the good taste of the hon. Member in introducing the name of Her Majesty the Queen into such a controversy as this, or of the value of the opinion of a man in his 99th year, like Sir Moses Montefiore. But I say that I disbelieve the assertion of the hon. Member that the late Lord Derby ever gave an opinion in favour of the Channel Tunnel. Moreover, I believe that the hon. Member has entirely misrepresented to the House the opinion of the late Lord Beaconsfield on the question, and I challenge him to produce the letter in which he avers that the noble Lord expressed himself in favour of this scheme. When that letter is produced I believe that it will be found to contain a statement to the effect that the shareholders who might be deluded into taking part in such a scheme would never receive any interest on their money. But, however that may be, this is by no means a Party question, and I trust the House will look at it as that which should be far above Party differences—namely, a question relating to the national security. Well, that is the way in which this question has been considered by authorities whom I think even the hon. Member himself must respect. Those authorities, Parliamentary, military, and scientific, have reported adversely to the construction of the Tunnel as injurious to this country, and the House of Commons, on three previous occasions, has ratified the decision at which those authorities arrived. Now, Sir, what were the reasons on which that decision was based. I will endeavour very shortly to state them to the House. I think it is quite impossible for any reasonable person to deny that the insular position of this country, and the absence of a military frontier, have been of enormous advantage to us in the past, and may prove of enormous advantage in the future. Now, so far as it goes, the construction of the Channel Tunnel would give us a military frontier. It would open a door for attack which does not now exist, and I think it is not a little due to the fact that no such door exists that we have been saved in this Kingdom from the curse of conscription, and that for so many generations we have been spared those horrors of invasion from which every other European country has heavily suffered. Now, the first thing for the House to ask itself is whether—as it cannot be denied that such a door would be opened by the construction of the Channel Tunnel—that door could be closed with absolute certainty in time of danger? [Sir EDWARD WATKIN: Yes.] The hon. Member thinks that it can, and many hon. Members who will support the second reading of the Bill no doubt are of the same opinion; but my own opinion is that there is no such thing as absolute certainty in the conduct of human affairs, and I will venture to quote, if the House will bear with me, some expressions of opinion from high authorities on these matters, who agree in the main with the hon. Member opposite, which I think will show that on this point they are not precisely in accord with his views. The House is aware that this subject was considered by a very able and strong Committee of both Houses of Parliament, and that a Report of unquestionable ability was presented by a minority of that Committee in favour of the scheme of the hon. Member.

MR. W. E. GLADSTONE: In 1883.

SIR MICHAEL HICKS-BEACH: Yes; in 1883. Well, that minority, headed by Lord Lansdowne, admitted that the construction of the Tunnel would in some respect modify the conditions under which the defences of this country would have to be considered, and that special precautions would be necessary to prevent its falling into the hands of an enemy; they admitted, further, that its possession either during the progress of operations or an occupation of English soil would be highly advantageous to the invading force and injurious to the nation, and they conceived that if it could be shown that no means could be devised to prevent the Tunnel, when once made, from passing into the hands of the enemy, its formation would be in the highest degree objectionable. The question was, could such means be devised? That was referred to a scientific Committee of military and engineering authorities, who made recommendations for the se-

curity of the Tunnel so complicated, so numerous, and so costly, that if they were carried out in any great degree at the expense of the shareholders, as the hon. Member once suggested—he does not, I see, now give any assent to that proposition — they would absolutely deprive the shareholders of any possibilities of making the Tunnel a commercial success. But this scientific Committee reported that while by the means they recommended the Tunnel might be made absolutely useless to an enemy it would be presumptuous to place absolute confidence in the most complete arrangements for preventing it from falling into the hands of an enemy, thus absolutely negativing the presumption on which the Minority Report of Lord Lansdowne was based. Now, the hon. Member treated almost with ridicule any idea that we could possibly ever be at war with France. I hope and pray that such a calamity to both nations may never occur, but it is simply folly and madness to shut our eyes to the fact that wars between these countries, of the most serious character, have occurred. It is possible that they may occur again, and we have no right in this House to look at this question of the Channel Tunnel without reference to the possibility of war between this country and France. Now, I do not imagine that it has ever been contended by those military experts to whom the hon. Member —who is not a soldier himself—has referred in terms of remarkable contempt, that if in a war between France and England the English end of the Tunnel were in our possession the French would attempt to invade this country by sending an army through the Tunnel; but what has been contended is this—that there might be the possibility of surprise. Such things have happened in past wars, and the House will remember that they have sometimes happened without a previous declaration of war. One notable case is that in which we seized the Danish Fleet in 1807. Surprise might be attempted and made successful through treachery, for who will guarantee the loyalty to this country of all of the *employés* of a cosmopolitan company, many of the shareholders in which might be Frenchmen themselves? It might be aided by delay on the part of the authorities, or by the failure of the action of the apparatus for flooding the Tunnel in a moment of danger, because, of course, you never could test such an apparatus to see whether it would work when required. We should have no guarantee for its continuous efficiency, and I should like to know what Government would not hesitate until the very last moment before it gave the order for causing such a great destruction of property as would result from the flooding or blocking of the Tunnel? But supposing this danger avoided, the order given, the Tunnel blocked or flooded, and the risk of surprise or treachery gone, would not the English end of the Tunnel still remain as a point of the gravest anxiety to this country during the progress of a war? It would be the first point of contemplated attack by our enemies throughout. I will not attempt to express an opinion as to the possibility, military or engineering, of such an operation; but we hear a great deal in these days about the likelihood of an invasion of England. Surely it would be a much easier and simpler operation to send over a force sufficient to seize and hold the English end of the Tunnel for such time as would be necessary to repair and pump it out? Then, how can the hon. Member ridicule the idea that if this were once done, troops might be poured from France through the Tunnel in such numbers as would render it very fortunate for us if we ever secured the possession of the key of England again? I dare say that hon. Members will say that these ideas are exaggerated; but I would submit this to their consideration. There is no doubt that these opinions are widely entertained in this country. They are held by great military authorities, and have been enforced by able writers in the Press; and they have taken, and will take, hold very largely of public opinion. Do you think that that public opinion, so influenced, would have no bearing upon our military and naval expenditure? Do hon. Members opposite who are anxious for economy, and who are endeavouring in every possible and impossible way to promote it in these matters, think that they are doing something likely to tend to economy in military and naval expenditure by adding a greater scare to the scares which already exist? I venture to say that with every rumour of war on the Continent there would be

fresh demands for fortifications, armaments, and garrisons for the defence of the English end of the Tunnel. At all events, even the hon. Member for Hythe will admit, if he will not take the burden of erecting these fortifications upon the shareholders of his Company, that the nation would have to spend a considerable sum for the purpose of providing fortifications, armaments, and garrisons, and that thousands of men, whether added to the strength already existing of the Army or taken from their present duties, would be fixed in one spot in peace and in war, their services being required for the protection of the Tunnel. Therefore, on the ground of risk, possible rather than probable though that risk may be, but even more on the ground of the great addition to our expenditure which such risk would certainly cause, I am opposed to the construction of such a Tunnel as this. But I should like to know what are the advantages which are held out to us? The hon. Member tells us that the construction of the Tunnel would promote and secure peace with France; and he charges us by implication to-day, and in so many words in his former speeches, with a policy of isolation and separation, the logical end of which must be to strain the relations and possibly lead to war between the two countries. I maintain that our insular position is the best security for peace. I believe that it saves many opportunities of quarrel and much temptation to an invasion of this country. Our relations with France now are admitted even by the hon. Member to be friendly.

SIR EDWARD WATKIN: Yes.

SIR MICHAEL HICKS-BEACH: They certainly are so. Then I ask the hon. Member, would he change them for the relations which obviously exist between France and her two powerful Continental neighbours, with whom she has an extended land frontier and such complete means of artificial intercourse by railways, roads, and other methods of communication? You cannot say—it would be ludicrous to pretend—that you can deprive nations of occasions of quarrel by increasing the means of communication between them. The hon. Gentleman made use of two arguments in support of the Bill which I must notice. He said that the Channel Tunnel would provide this country with an additional means of food supply. But if the other end of the Tunnel was in the hands of France, it certainly would not provide us with an additional means of food supply if we were at war with France, and France is the only country which could possibly deprive us for a day of the complete command of the sea. Therefore, what would be the advantage of the hon. Member's Channel Tunnel from that point of view? Then the hon. Gentleman dwelt on the great commercial advantages which would be derived from the proposed undertaking, I give him the benefit of the argument as to the greater ease and comfort of the passengers. He would mitigate the sufferings of many an old lady, and increase largely the passenger traffic. But the suffering might be lessened if the harbours on both sides were so improved as to make it possible to use steamers like the steamers between this country and Ireland, though a large proportion of passengers would prefer a cheaper mode of conveyance. So far as heavy goods traffic is concerned, I do not think the Channel Tunnel would do anything for it at all. I would invite hon. Members to look at the evidence which was given before the Parliamentary Committee. If they will do so, I think they will find conclusive proof upon the subject. For there is not only the difficulty of the break of gauge, which the hon. Member passed over so lightly——

SIR EDWARD WATKIN: There is no such thing as a break of gauge.

SIR MICHAEL HICKS-BEACH: But the hon. Member admitted that there is a break of gauge.

SIR EDWARD WATKIN: Only in Russia.

SIR MICHAEL HICKS-BEACH: There is not only that question, whatever it may amount to, but there is the fact that a tunnel 20 or 25 miles long could not by any possibility have the same relative capacity for carrying goods in 24 hours as an ordinary railway. If there is to be a great passenger and perishable goods traffic, there would not be room for heavy goods trains, and the cost of the line would be so great that the rates charged must necessarily be high if the shareholders are to get a return for their money, and goods would go by the cheapest route. Another argument is that we are losing the depôt trade of

the Continent, and that by better communication between England and the Continent we might retain that trade. I will tell you of a better and cheaper mode of retaining that trade. It is so to improve our own harbours as to make them better and more accessible to large ships than the harbours of our Continental rivals, and in doing that we should have the additional advantage of benefiting our Mercantile Marine, which, as far as it goes, would be rather injured than benefited by the construction of a Tunnel. I quite grant that the construction of a railway between England and France would, to some extent, stimulate trade, as undoubtedly it would encourage travelling; and it might, therefore, if it were done, be of service to the wealth of this country, and improve the relations between this country and France. But I do not believe that anything would be gained in this way which would not be far outweighed by the injury to trade from the anxiety caused by the perpetually recurring panics, and the feeling of insecurity which would arise from the existence of a Tunnel, and the gain would also, to a great extent, be counterbalanced by the expenditure that would be required for fortifications and defence. I do not know that it is necessary for me to detain the House at any greater length. I would remind the House that on three previous occasions it has rejected this Bill on the second reading. The first occasion was in 1884; and in 1885 it was also rejected, when the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), speaking on behalf of the Government of the day, moved the same Motion that I am about to make. I do not know what has happened since that time which would induce the House to alter its decision, unless it be that the right hon. Gentleman opposite the Member for Mid Lothian is in a position of greater freedom and less responsibility, and that the rumour is true that on this occasion he is going to give his powerful support to a Bill against which he voted in 1884 and 1885. If that be so, it is even a more remarkable change than the political gyrations of the hon. Member for Hythe himself, for I cannot conceive the faintest reason for it. It may be, for the moment, that the European sky is clearer than it was. [Mr. W. E. GLADSTONE dissented.] The right hon. Gentleman shakes his head. I am trying to give him the benefit of a doubt. It may be that rumours of impending wars are not quite so rife as they were at that time. I do not know that either of those propositions are true, but of one thing I am quite certain—that the causes of great Continental wars exist in as great force now as they did then, and that the excessive armaments of the great Continental Powers have been largely increased since that time. And what is the condition of France? It is, unfortunately, far more unstable now than it was in 1884, and there is an uncertainty about its political future far greater than existed then. What is our condition here? We have a strong feeling abroad, propagated with great diligence, of the insecurity of this country. Is this the time to add to that feeling of insecurity by opening another door to the attack of a possible enemy? Is this the time to give a chance, and a very good chance, for that feeling to be increased, and a scare created which would sweep away the hon. Member for West Bradford (Mr. Illingworth) and all the economists on that side of the House, and land us in a military and naval expenditure which was never contemplated in the wildest dreams of the right hon. Gentleman when he was Prime Minister? If the right hon. Gentleman opposite has less responsibility now than in 1884, we have greater; and in pursuance of that responsibility it is my duty, on behalf of Her Majesty's Government, to ask the House to-day, by refusing to sanction the second reading of this Bill, to maintain inviolate the silver streak which for so many ages past has been the natural and cheap defence of the liberty and the prosperity of our country. I beg to move that the Bill be read a second time this day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Sir Michael Hicks-Beach.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): The appeal which has been made to me by the right hon. Gentleman the President of the Local Government Board is a very fair appeal.

He has a right to know, and I will endeavour to explain to him, why, having been at the head of the Government in 1884, and having voted against proceeding with the Channel Tunnel Bill, I do not take the same course on the present occasion. The right hon. Gentleman has spoken for the Government to which he belongs, and, so far, he is in the same position as was my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain) when, in 1885, he asked the House to put a negative upon the Bill. But the right hon. Gentleman will at once perceive the broad and vital difference between the speech which he has now made in stating the grounds for his proceeding and the speech which was then made by my right hon. Friend. The right hon. Gentleman has opposed the Channel Tunnel Bill, I am sorry to say, upon its merits—upon grounds which will be as good in any future year as they are at the present moment. My right hon. Friend the Member for West Birmingham is not in the House, but I have had within the last week or 10 days an opportunity, through his kindness, of going over the whole ground and testing our several recollections, and I believe I am correct in saying that in the speech of my right hon. Friend there was not one word condemnatory of the Channel Tunnel upon its merits, and that his opposition was an opposition of time, and of time only. For my part, I could not have taken then any other position, and I will presently state why it was that I was a party to opposition on that ground. It is a matter of justice to the hon. Member for Hythe (Sir Edward Watkin) and to the promoters of the Channel Tunnel, after what happened in 1884 and 1885—I believe these were the years, though I am not certain that I am absolutely correct—that I should explain the view which I took of their case and the reasons which induced me at that period, without any doubt or hesitation, to join in the opposition to the progress of the Bill. I am very glad to think after the debate of last night that we are now engaged in a discussion of a very different kind. I do not think that any person who agrees with me will be induced to vote against the Government from any desire to displace it, or that any Gentleman who will vote with the Government will do so upon the ground that this is one of the sacrifices required from them to protect the country against the danger of a Liberal invasion of the Benches opposite. On the other hand, I am afraid that our arguments in this matter on the one side and on the other are looked upon as singularly unsatisfactory by our opponents. On political questions we often feel that, at any rate, there is something in what the other man says; but on this occasion we seem to get at the ultimate principles and modes of thinking which are fixed on one side and fixed on the other, and which would lead us, if we used the language that occurs to us, to describe the opposite arguments in very disrespectful terms. The right hon. Gentleman has stated his case with force, clearness, and ability; and yet I frankly own—and frankness is, after all, a great virtue—the whole of the considerations he has advanced, and his arguments against this Tunnel, are neither better nor worse than mere and sheer bugbears. Having gone thus far in the exercise of frankness, I will for the rest of my speech endeavour to fall back on the virtue of courtesy; and I will not recur to the use of any language of that character, by which I only meant to illustrate the position in which we stand to one another, and which we unhappily aggravated in 1884. Now, Sir, this subject was first introduced to me by a Tory Chancellor of the Exchequer. It was first introduced to me in the year 1865 by a gentleman whose name will always be mentioned with respect in this House—I mean Mr. Ward Hunt. He was not Chancellor of the Exchequer at that exact time, for I was. He came to me as the leader of a deputation, and endeavoured to induce—or perhaps I should say seduce—me, the Chancellor of the Exchequer to Lord Palmerston, into giving my support to the promotion of this dangerous project. Mr. Ward Hunt was totally insensible of the dreadful nature of the petition he was making—notwithstanding his position in the Conservative Party, he was totally unaware of all the dangers that have been pointed out by the right hon. Gentleman opposite. And here, Sir, I am obliged to correct a statement of my hon. Friend the Member for Hythe, who, on the authority of somebody or another, alleged that I alone among the Ministers of that day was disposed to

give a guarantee in some shape or other to the promoters of the project. I was never disposed to give a guarantee to the extent of one single farthing to the promoters of this scheme, or any other scheme of a similar kind. I find it necessary, for my own credit perhaps, at any rate for the truth of history, to disclaim it. Sir, I was instructed on behalf of the Government, and with my own full concurrence, to refuse a guarantee; but we did so without giving the slightest indication of any opposition to the Tunnel scheme. A series of other Governments followed, and every one of those Governments officially committed itself on the merits of the Tunnel. Lord Granville on the part of the Government of 1868; Lord Derby on the part of the Government of 1874; and, I think, the senior Lord Derby, the distinguished Prime Minister of a former period, expressed precisely similar sentiments; and every one of those Governments, acting unanimously, was engaged so far in the promotion of this project that they gave it their unequivocal sanction. Nor did they stop there, but they entered upon international proceedings. Communications were established with France. A Commission was appointed on the part of the two countries, and I do wish to bring home to the minds of hon. and right hon. Gentlemen the degree to which our honour and our dignity in an international aspect are involved in the question before the House. I must say that that is one of the most serious considerations that operate on my mind with regard to the promotion of this Bill. The two Governments jointly instituted a Commission to consider the details—the important and difficult details—of the schemes by means of which this great project could be best advanced. The principle of the project was taken for granted, on the one side and on the other, when we entered into these general proceedings with the French Government. The Commission laid down conditions which were to be the basis of a Treaty between the two countries, and the actual signature of the Treaty was suspended, not upon the ground of any political apprehension whatever, but simply, I believe, upon the ground that financial considerations did not at that moment favour the progress of the scheme. What dwells upon my mind is this—that there was very much of the character of an engagement of honour in these proceedings between England and France, and that it is a matter of some difficulty to justify the recession of a Kingdom like this from a position of that kind, after you have voluntarily and deliberately, and after long thought and reflection, made it the subject of such international proceedings. The right hon. Gentleman says—and I have no doubt very truly—that there are serious objections raised by the military authorities against the scheme. Well, Sir, at the time I am speaking of, the opinion of the military authorities was in favour of the Tunnel. The two Governments did not act in respect of the Tunnel without consulting the military authorities, and those military authorities whom the Government had to consult were distinctly favourable to the Tunnel. But I think I may go a little further than that, and may venture to read, at least for the purpose of challenging contradiction if it can be challenged, a short extract from a very well-informed memorandum with which I have been supplied on the part of the promoters—and which is one which can easily be brought to issue. The extract to which I refer says—

> "It was not until the autumn of 1881 that any military opinion adverse to the Tunnel was expressed."

Now, Sir, that is a remarkable fact. The Tunnel was then a scheme 20 years old. It had been discussed in every possible form. It had been the subject of much official Correspondence, and it had received the assent of a number of Governments. Those Governments would not have assented, and did not assent, without the authority of the Military Department and the advice of their military advisers, and until the year 1881 these portentous discoveries which have taken possession of the mind and imagination of the right hon. Gentleman, and, I suppose, of those who sit near him, were never heard of. Surely that is rather a staggering circumstance. And now I will relate the facts upon which the Government of 1881 and the following years had to base itself in dealing with this subject. At that time we find that the military authorities had commenced their opposition, and a great ferment began to prevail. A combination of powers was brought into opera-

tion. The literary authorities were brought to back up the military authorities. Great poets evoked the Muses, and strove, not as great poets in other times used to do, to embolden their countrymen to encounter serious dangers, but to intimidate their countrymen by conjuring up phantoms of danger that were not fit to be presented to anybody except that valuable class of the community that the right hon. Gentleman has described in his speech as suffering occasionally the pains of seasickness. Then, Sir, the Army—the military host and the literary host—were backed by the opinion of what is called "Society," and society is always ready for the enjoyment of the luxury of a good panic. There is nothing more enjoyable than a good panic when that panic is based on a latent conviction that the thing which it contemplates is not in the least degree likely to happen. These speculative panics—these panics in the air—have an attraction for certain classes of minds that is indescribable, and these classes of minds, I am bound to say, are very largely to be found among the educated portion of society. The subject of this panic never touched the mind of the nation. These things are not accessible to the mind of the nation. They are accessible to what is called the public opinion of the day—that is to say, public opinion manufactured in London by great editors and clubs, who are at all times formidable, and a great power for the purposes of the moment, but who are a greater power and become an overwhelming power, when they are backed by the threefold forces of the military and literary authorities and the social circles of London. Well, Sir, these powers among them created at that period such a panic that even those who were most favourable to the Tunnel, of whom I was one, thought it quite vain to offer a direct opposition. We, therefore, proposed the appointment of a Joint Committee, and the issue of that Joint Committee has been very fairly stated by the right hon. Gentleman. I am bound to make a fair admission—and I do it in the presence of my noble Friend the Member for the Rossendale Division of Lancashire (the Marquess of Hartington), whose opinion at the time I do not now remember—that, although in the Government of 1868, to which he and I belonged, there never was a question as to the propriety of the Tunnel, and Lord Granville wrote in that sense, and even instituted communications with France; yet when we come to the Government of 1880, and the circumstances of 1881, 1882, and 1883, a change of opinion did find its way even into the Cabinet. Some of us were what I should call not quite sound and others of us were, and we all agreed that the best thing we could do was to refer the matter to this impartial tribunal. And when that tribunal reported there was no improvement in the circumstances. If I am asked why, under these circumstances, I took part in throwing out the Channel Tunnel Bill, my answer is that we, the Government, were engaged in arduous affairs. Powers were put very freely into action against us at that time which are now happily in abeyance. We deemed that it was our duty to have some regard to the time of Parliament. We knew it was impossible to pass the Bill. It was a time of tempests, and as sensible men in time of tempest are not satisfied with the shelter of an umbrella and seek shelter under the roof of some substantial building, so we acted. Whether or not we ought to have shown more heroism I do not know. But we thought it idle to persevere in a hopeless struggle. We did not in the least condemn the Tunnel on its merits. We did not think there was the slightest chance of proceeding with the Bill to the end, and we, therefore, invited Parliament not to bestow its time on a discussion which we believed to be perfectly useless. That was the principle on which we proceeded at the time. I will say a little upon the arguments of the right hon. Gentleman, but I am not going to attempt to follow those arguments as if we were engaged in a debate like that of last night. I do not think it would be expedient or convenient to make this a debate between both sides of the House. There are some on this side of the House who are probably unsound besides those who are usually so; and I hope there are some on that side who are sound, and, therefore, the House is totally without prejudice. But there is one thing which fell from the right hon. Gentleman which I regret, and that was his comparison between the internal condition of France at the present time and the internal condition of France some six or seven years ago. I own I

think it was an error to enter upon that chapter of the subject, even if the right hon. Gentleman entertains the opinion which he apparently does entertain. But as he has said that he thinks there is not the same prospect of stability in France now as then, I must give myself the satisfaction so far of expressing quite a different opinion. And I may remind the Government and the House of this—that the French Republic never, since 1870, has been called upon to pass through so severe a crisis as the crisis, not yet, I think, 12 months old, with respect to the appointment of President. That was the most trying experience which it has had to go through, and it made many of its friends and well-wishers tremble as to the issue. It made every sound and right-minded man in France apprehensive of what was to happen, and I rejoice to say that France and the institutions of France came through the struggle with as much calm temper and solidity as any country in the world could have done. That is one thing I feel it right to say in consequence of what fell from the right hon. Gentleman. Following the right hon. Gentleman opposite, I do not touch on the engineering question. Neither will I touch upon the commercial question, except to say frankly that I differ from the right hon. Gentleman, and I believe the commercial advantages of this Tunnel would be enormous. I have nothing, however, to do with engineering or commercial questions. I am here simply as a Member of Parliament to see whether there is any reason why I should withhold my assent to the plan. Now, Sir, I have used the familiar illustration of the umbrella as shelter in a storm. After hearing the speech of the right hon. Gentleman, I am not quite sure whether the storm is still going on; but I was under the impression that the panic had passed away. My impression has been, and in the main my impression is, that the literary alarm, the social alarm, which backed up the military alarm are very greatly allayed, and that we have now, what we had not five or six years ago, a chance of a fair, temperate, and candid discussion. The right hon. Gentleman refers to a land frontier as if it were an unmixed evil. No doubt it is less secure, upon the whole, than a sea frontier; but he must not forget that a land frontier has enormous advantages with respect to intercourse between man and man, which are of great consequence in the view of those who believe that peace and not war is the natural and proper condition of mankind, and it is to be as we trust to a great extent for this country, at least, the ordinary normal and habitual condition in which we live with foreign countries. But on the question of procuring a land frontier, if it is a land frontier, which I do not think it is, the habitual and standing advantages of a land frontier are enormous compared with its occasional disadvantages and dangers. With regard to the political and military objections, I must say I feel pained, as an Englishman, in considering the extensive revolution of opinion that has taken place. For 20 years this project lived and flourished, difficult in an engineering sense, very difficult in a technical sense, and as a financial question. I do not presume to enter upon those questions, and leave them to those who better understand them—but with no doubt cast on it from the point of view of the security of this country. Now, Sir, a transition from darkness to light has taken place—and it ought to be hailed notwithstanding all the inconveniences which accompany such transitions—and it is rather a serious question for us to consider whether the English nation and Government from 1860 to 1880, or whether the influences which acted during the years 1883-4 and 1885, and which are to some extent acting now, lead us in the right or wrong direction. Speaking of the dangers of a land frontier the right hon. Gentleman, in a lugubrious manner, said that this end of the Tunnel must always be the subject of great anxiety. Well, if this end of the Tunnel is to be the subject of great anxiety, what will the other end be? But, strange to say, I find that the other end of the Tunnel is the subject of no anxiety at all. Many of us are in the habit of considering the French nation as light-minded, with great resources and great ingenuity, talents, and energy, but still light-minded, unlike ourselves, solid, and stable, perhaps rather heavy, but at any rate a very steady-going people, who make up our minds slowly and resolutely, and do not change them. [*Laughter.*] Oh, I am not speaking for myself—I am only speaking on behalf of my country; but I would ask hon.

Gentlemen to apply this test to the case of the French people. I must say that they have treated this matter with the most dignified self-restraint and consistency throughout. I am bound to give my opinion, and I think the French, had they any other than the most friendly disposition with regard to ourselves, might have made serious complaints of the manner of their treatment in having been invited to embark in this enterprize to an extent only short of the signature of the Treaty when we receded from the ground and left the light-minded people standing in exactly their original attitude, while we—not the nation, but the Government and the circles of opinion known in London—have very considerably altered. Well, but, you will say, the question of our invading France is not a matter to be considered at all. Therefore, the other end of the Tunnel does not seriously enter into the question. The real question that we have before us is the likelihood of the coming of that unhappy day—I agree it is a perfectly possible thing, I think and hope it is nothing more than a possible event, still it must be taken into consideration—when England will be invaded by France. I am very much behind the age in a great many respects, and I am sorry to say very much behind those Representatives of the age who sit on the opposite side of the House, for I have the habit of being guided to a certain extent in anticipations of the future by considerations of the past. I know that it is a mode of looking at a subject entirely dismissed from consideration at present. For about 800 years, beginning from the Conquest, I want to know which country has oftenest invaded the other, and I will state this proposition—that the invasions of France by England have been tenfold more than the invasions of the British Islands by France. Do you believe in a total revolution in the means of action between the two countries? I do not believe it. There has, indeed, been a great change in one matter—that of population. Now, Sir, during the Revolutionary wars what happened? The great Napoleon—the most wonderful general and strategist of modern times, the man of whom Dr. Döllinger says that he raised war as the mode of its planning and execution, not as to its morality, almost to the dignity and attitude of a fine art—addressed the whole of his resources and thoughts to the invasion of England. Ireland was tried three times by the Directory, and three times there were miserable failures. Two other Fleets had set out, one from Holland and one from Spain, and they had been destroyed by the power of British arms at sea. But Napoleon made it a study nightly and daily to devise and arrange the means of invading England, and he was obliged to recede from it as an impossible task. Not that it is an impossible task. Do not suppose that I am going to say anything so extravagant. I am going to say this. It is worth while for those who have these portentous ideas of the power of France, and so small an idea of our means of defence, to consider the relative population of the two countries. At the time when Napoleon prosecuted his schemes the population of Great Britain was 10,000,000; the population of France 22,000,000. I will not count the population of Ireland, for at that period, unfortunately, as at others, it added nothing to the military resources of this country for repelling invasion. Well, 10,000,000 Englishmen constituted the sum of those whom Napoleon had to invade, and he could not manage it. At the present moment this Island contains far more than 30,000,000 men not less strong, not less determined, not less energetic than the 10,000,000 in Napoleon's time at the beginning of the century, and they are close in mere numbers upon the population of France. Here, then, are two countries, and the question is whether one will invade the other by means of the Channel Tunnel? This is a country that has incessantly invaded France, and I am not sorry to say that, though we did it with marvellous success 500 years ago, we have not always been equally successful in recent years, though there is the paramount case of 1815, with respect to which, if a parallel case could be quoted on the other side for the action of England and Wellington, I would admit that there would be something more in the argument of the right hon. Gentleman than I can allow that it contained as matters stand. I shall be told that Napoleon had no steam. That appears to be a strong argument, but it is capable of being used both ways. I believe that the inven-

tion of steam, and the great revolution that we have seen in shipbuilding, have enormously increased our means of defence as compared with those of France. I believe that our defensive power in times of crisis would develop itself with a rapidity, to an extent, and with an efficiency that would surpass all previous examples, and would astonish the world. There is one question that I should like to ask—What is the ground taken up by those Gentlemen who point to our security as the main matter which we have to consider? Do they mean, on that ground, to limit our communications with France? Do they mean, as in the time of Queen Anne, to "abate" our trade with France, as being a source of danger and insecurity? "No," says the right hon. Gentleman opposite; "anything but it; extend your communications to the uttermost; give every facility by which men and material"—for the word "goods" is synonymous with material—"can pass from one country to the other, but do not sanction the construction of this Tunnel." That is the plan of the right hon. Gentleman. He proposes that the harbours of the country should be enlarged. He set no limit to the range of his philanthropy and enlightened views upon this matter. He has no apprehension upon this subject. Well, my apprehension of invasion is not great; but, if I am to conjure up any prospect of danger, I tell the right hon. Gentleman deliberately that his plan of harbours and great ships and of making the Channel a high road to be crossed with wonderful rapidity presents 10 times the danger that the prospects of the Tunnel could possibly present to the most excitable mind. Now, one word about the opinion of the military authorities. I am not going to speak of them with contempt; on the contrary, I must say that I have the deepest respect for the profession of the soldier, and especially for the function of a commander in the field, charged with the care of large bodies of men, with the duty of making the most of the resources of the country, and with the enormously difficult task of bringing all to bear on a particular point, under particular circumstances, and at a particular time, for the purpose of war. That I deem to be one of the highest and most extraordinary trials to which the human mind can be subjected, and I do not know any other position in which the demand for energy and the exercise of every great quality of human force is so tremendous and overwhelming. Therefore, for the opinion of Lord Wolseley, whom I believe to be a man extremely valuable to his country in the great and possible contingency of military danger and military effort, I have the profoundest respect, as I have for the opinion of other military authorities. But that respect is mainly due in relation to the operations of war, or measures directly connected with the operations of war. On other matters not so connected their judgment carries weight, and always will carry weight; but in questions of this character the judgments of military authorities cannot be accepted as infallible, and we find that the prescriptions and recommendations of the military authorities of one day or one year are disowned and reversed by the military authorities of another time. We were told in 1860 that Lord Palmerston's fortifications would give us such a state of security that we need never be alarmed again; but have we not had within these latter years alarms more poignant, more startling, more costly than, perhaps, were ever reached before in times of peace, and these fortifications are regarded apparently by those who recommended them with the greatest indifference? If I am asked to rely on the opinion of military authorities as infallible, and required to surrender my own poor judgment and responsibility into their hands, I would quote the name of Alderney. If there is a single creation on earth that may be called the creation of military authority it is the work now represented by the remains, the ruins, the shreds and tatters of the fortifications at Alderney. Save that the funds were supplied from the Treasury, these works were a military creation. I know it is sometimes said that all faults and imperfections in such cases are due to the impertinent interference of civilians; but what civilian had anything to do with the works at Alderney? I had to do with them in the service of yielding to the imperative demands of the military authorities of that day, excellent, able, and highly distinguished men they were, Sir John Burgoyne, Sir Henry Hardinge, and others of whom the country may be proud. They told us that with an ex-

penditure of £150,000 Cherbourg would be sealed up, and no hostile Fleet could ever issue from it. I was the man who proposed this expenditure, and the House agreed to it 35 years ago. But I need not say the matter did not stop there; the expenditure went up to £1,500,000—and I am not sure whether it stopped short of £2,000,000—and of that there now remain but the miserable fragments of that work, a monument of human folly, useless to us as regards any purpose for which we were urged by military authorities to adopt their plan, but perhaps not absolutely useless to a possible enemy, with whom we may at some period have to deal, and who may possibly be able to extract some profit in the way of shelter and accommodation from the ruins. Then take another and very different example from another branch of the subject—I wish to speak of nothing but of which I have some personal knowledge. Everybody knows that in the crisis of a great war the one real and appalling difficulty, if not danger, of this country is the fewness of men, and not the scantiness of any other resources whatever. We were, until the forethought and sagacity of Lord Palmerston and Lord John Russell relieved us of the task, in military occupation of the Ionian Islands. Our garrison there used to consist in times of peace of 6,000 or 7,000 men, and I believe it was admitted that, considered in reference to times of war and in reference to Reserves, such soldiers as we should require to have there would stand to our debit in time of war at not less than 12,000 men. I am not speaking of political considerations; but I do not think any man in this House will say it is desirable to be charged with the responsibility of maintaining 12,000 men in a time of a great war for the purpose of maintaining a hold, even if it were otherwise possible, upon Corfu, Cephalonia, Zante and the other Ionian Isles. But at that time military authorities were unanimous in their belief, and strongly urged upon the Government that the maintenance of our military hold upon the Ionian Islands was a great, if not an essential, element in the maintenance of our power in the Mediterranean. Something, we must admit, is to be allowed for the professional zeal of men who know no bounds to the service they render and the sacrifices they are prepared to make when the country has occasion to call for their services; but much also must be allowed for the fallibility of human judgment when applied to an object they consider it necessary to secure, and these are considerations which in some degree equalizes our position, though not absolutely, to the position of the military authorities. It seems ludicrous for a person like myself to give an opinion on the military danger of the Channel Tunnel in the face of the opinion of military authorities; but I cannot get rid of the feeling—and it is simply common sense—that when I endeavour to consider all the points, which I will not now enter upon in detail, I am bound to point out that it is not a safe thing for us to say, "We have military authorities who tell us this thing or that, and we ought to be satisfied," when of necessity we have before our eyes many exemplary cases where the predictions and injunctions of military authorities have been totally falsified; and when we know that what is preached by the military authorities of to-day is the direct reversal of what was thought and taught by military authorities 20 or 30 years ago. Under the circumstances, I trust we have arrived at a time of comparative calm, when the matter can be considered without prejudice, which was not possible in 1883. If I may presume to refer to an old and homely proverb, "Philip was then drunk;" but Philip is now, I trust, sober, and it is in the sobriety of Philip that I place all my confidence. I hope, Sir, I am not going beyond Parliamentary etiquette, if I express my hearty congratulations that you, Sir, in the midst of the storm and excitement, were one of the men who affixed a signature to the Minority Report on the subject. I believe even now we have arrived at a happier time when the gallant enterprize—for I must call it so, arduous and difficult it is—of my hon. Friend the Member for Hythe has some chance of fair judgment. The opinion of the nation was never against it. A factitious opinion, which is sometimes assumed to be national opinion, was too strong against it at one period, and it was too strong for me, and it even now exists, but weakened and brought within moderate bounds, and there is now some chance for common sense and the

exercise of that spirit of enterprize that has been at all times among the noblest characteristics of our country.

SIR EDWARD HAMLEY (Birkenhead) said, they must all admit that the hon. Baronet the Member for Hythe (Sir Edward Watkin) possessed the virtue of perseverance, and also the quality of not knowing when he was beaten. Year after year he went on bringing up afresh his rejected scheme for that imaginary work of an unknown future which he called the Channel Tunnel, and he had succeeded in making the public so familiar with it, and with everything that was to be said for and against it, that it was, perhaps, almost unnecessary to recapitulate the conditions of the question. Those who objected to the scheme must be very careful not to attribute to the hon. Member any, not even the most distant, desire to make a profit out of this scheme. The hon. Gentleman alluded to a letter he (Sir Edward Hamley) wrote to *The Times* last year. The hon. Member for Hythe also replied through *The Times*, and in his letter took him (Sir Edward Hamley) severely to task for having presumed to allude to the Channel Tunnel as a commercial speculation. More in sorrow than in anger the hon. Gentleman remarked that he would pass by what he pleased to call his (Sir Edward Hamley's) rude allusions as unworthy of notice; and then he took very lofty ground indeed, and talked of the great services rendered gratuitously to the country by those who were engaged in what he styled the grand work of the century. Well, if the Channel Tunnel were the grand work of the century, it must, he (Sir Edward Hamley) supposed, be the work of a Company, and that Company would be got together in the usual manner, and capital would be raised by offering the shares for sale with the usual inducements to purchasers, and therefore the shareholders would be very different persons indeed to those philanthropists who invested their money for the benefit of the human race. But he perceived that this was a tender point with the hon. Member, and therefore he would humour him so far as he had to allude to his Company by calling it a benevolent association. Now, when the matter had been so long discussed, it was in vain to expect that much new matter could be imported into it, and therefore they found in the present debate, as he found in the records of a meeting which was held last month by the promoters of the scheme, that very little that was new had been said, and that nothing had been said which had not been quite as forcibly expressed a score of times before. They had had the usual promise of immense benefits which were to flow from the Tunnel; the usual amount of contempt had been showered on those who were so weak and foolish as to suppose there could be any danger to the country in so beneficent a project. A new feature, however, was introduced at the meeting of the promoters which he had already mentioned. A speaker repeated the arguments used by the hon. Member for Hythe in his letter to *The Times*, and said that if France could invade us through the Tunnel, we could also invade France through the Tunnel, and then went on in a burst of patriotic valour to suggest that we should not wait for the invasion, but should ourselves become the assailants. To his (Sir Edward Hamley's) very great surprise, this view had also been insisted upon by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone). He (Sir Edward Hamley) would only give one reason in reply, which he had no doubt hon. Members opposite would not accept, and that was that for every soldier we could land in France, we should find 10 French soldiers to meet him, and for every gun we should find 10 French guns. To those pusillanimous persons who had doubts about the policy of the Tunnel this might seem to be a sufficient reply. Colonel Hozier had been mentioned by the hon. Member for Hythe, and he had introduced a plausible argument which had some novelty about it, and which he (Sir Edward Hamley), therefore, desired to advert to. He wished to speak of Colonel Hozier with all the respect due to his qualifications for dealing with the military aspect of the question. Colonel Hozier said that if the Tunnel were made, and if we were at peace with France, we could still obtain all the supplies we wanted in this country through France in spite of the enemy's cruisers. To which he (Sir Edward Hamley) would reply, that if we were at peace with France we should be

pretty sure to be able to protect ourselves against all other enemies at sea, and that at least we should always retain in such a case the command of the Channel, and so we should then, as now, be able to supply ourselves through France by shipments from that country. Though not much had been said which was new, yet all the old arguments had re-appeared in the present debate. They were once more promised a universal brotherhood as the result of the Tunnel; the Tunnel was to be the highway to the Millennium; and as soon as it was made the South-Eastern Railway Company and the Northern Railway Company of France were to lie down together in its peaceful shades, with, as they were now given to understand, Her Majesty's portrait overhead, and survey their work, and plan fresh schemes for the benefit of mankind. They were also told that great riches and prosperity would flow out of the Tunnel for everybody, especially for France and England. Then the cases were quoted in which tunnels had been made with great advantage under English rivers, as if there was any possible relation between establishing a communication between two English counties and establishing a connection between France and England. Then the old staple argument was trotted out, that the Tunnel would be a guarantee of peace, whereas many of them believed that by offering such a prize to an invader they would be establishing a perpetual inducement to invasion. But to all these promises of prospective advantage, they could still make the old response:—everybody agreed that the Tunnel itself might in certain circumstances constitute a possible danger to this country, a danger of a character which was nothing short of fatal. The friends of the Company maintained that by their precautions they would render this danger unworthy of consideration, and the hon. Member for Hythe had described to them how, by pressing a button somewhere, he could at once destroy the work, which he (Sir Edward Hamley) thought must be very agreeable intelligence for his shareholders. Well, he did not know how the hon. Member might succeed with his precautions, but this he maintained—that whatever precautions might be taken, and however effective they might be supposed to be, still no precautions could have the same value as having no need for precautions which was our case at present; and with such tremendous issues at stake we ought not to be called upon to accept the game, even with the chances which were alleged in our favour. He had formerly presented some arguments against the Tunnel which had never, so far as he knew, been disposed of, and he would only now reproduce one to the House. Putting aside the prospect of foreign troops obtaining possession of our end of the Tunnel, were there no enemies at home who might seize it; had we not those among us who made a boast of their hostility to England? He had heard of an hon. Member upon the opposite Benches on one occasion announcing, within the precincts of that House, that if we were at war he would place his sword at the disposal of the enemy. Considering the hon. Member's profession, he thought it was likely the hon. Gentleman did not mean his sword, but his lancet, which, in his hands, would probably be the more fatal weapon of the two. But, however that might be, the point of the matter was that the will existed there, and that men holding such opinions would acquire an immense importance if they could offer such an inducement to an invader, and we should be crazy indeed if we gave such opportunities to treason. Why, we knew there existed in this country a conspiracy which was maintained and fed by contributions from a vile faction in a foreign land, whose sole motive was malignity to England. He would only further observe that there were many who had considered this question from a military point of view, and who could have no possible reason for opposing the Tunnel as a commercial speculation, yet who had arrived at the very strong conviction that it would not be for the advantage of this country, but very much to the disadvantage, that this enterprize should be allowed to proceed. There was one other circumstance which it was impossible not to notice, because it was an entirely new feature in this question, and that was, that the hon. Member for Hythe had obtained a very remarkable recruit in the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone). No doubt, the hon. Gentleman was able to give the right hon. Gentleman very

cogent reasons. They all of them remembered how an eminent statesman of a former time was described as—

"Straining his throat
To persuade Tommy Townshend to lend him a vote."

If they substituted another name for "Tommy Townshend," they might, perhaps, arrive at a faint and distant clue to the reasons which induced the right hon. Gentleman the Member for Mid Lothian, at this late stage of his career, to become a convert to the Channel Tunnel. They all felt that when the right hon. Gentleman's biography came to be written, it would largely consist of the history of his conversions. This conversion by the hon. Member for Hythe was the latest of them up to the present date; let them hope that all hon. Members of the House who might happen to have a dangerous or a mischievous project might not take the surest way of obtaining the support of the right hon. Gentleman the Member for Mid Lothian. But he knew that this was tender and delicate ground; for they all felt, especially since last night, how the necessities of the right hon. Gentleman were great and pressing. He would not, therefore, deal with the political view the right hon. Gentleman had expressed; and as to the right hon. Gentleman's military opinions, he would refrain from following him either to Alderney or to the Ionian Isles. He would only venture to say that the right hon. Gentleman's conversion appeared to him to be too recent to allow the right hon. Gentleman to gain any knowledge that could possibly be of service to anybody in relation to the present question.

MR. SLAGG (Burnley) said, he felt sure that the speeches which had been addressed to the House by the hon. and gallant Gentleman opposite must have been received with very great disappointment on the Opposition side of the House from two causes. The first was, that it appeared to be the determination of the Government to oppose a solid front of opposition to the Motion; and the second cause was, that it seemed that the old reputation for courage and self-reliance which hon. Members of the Party opposite used to pride themselves upon had disappeared, and had been replaced by a timid and unworthy state of mind an attitude which took alarm at any old wife's story. Now, the right hon. Gentleman the President of the Board of Trade (Sir Michael Hicks-Beach) referred at some length to the conclusions of the Joint Committee of the two Houses which sat in 1883, but he forgot to give due weight to one or two of those conclusions. It would be within the knowledge of hon. Members that the commercial part of the case in favour of the Channel Tunnel, which he (Mr. Slagg) admitted was a very important part of it, was proved up to the very hilt on the evidence of the most trustworthy commercial witnesses. What did those witnesses give evidence upon? They were almost unanimous in the opinion that means of communication of this description would very largely increase the commercial intercourse of the different countries; that the direct trade not only with France, but with the whole Continent of Europe, would be greatly stimulated; that for light articles of commerce especially, and for costly commodities, the proposed method of transit would be invaluable; and that we might hope, in the future, when this route was established, to see a most useful and profitable augmentation of our trade. The right hon. Baronet (Sir Michael Hicks-Beach) asked what new reasons there were of a commercial nature which should induce them to go forward with this project? He (Mr. Slagg) ventured to offer to the House one or two new reasons which had developed during the period which had intervened between now and the presentation of the Committee's Report. The method by which the commerce of the country was conducted had very largely altered. The manufactories of England had for a long time been regarded as specially adapted to the production of large quantities of cheap articles. That method of business was changing, and there was now seen on all hands, in regard to our staple industries, an effort, and a successful effort, to produce also smaller quantities of valuable and artistic articles. He could answer for the Cotton trade, of which he knew something, that a change was rapidly coming over its methods. Whereas the orders used to be mainly for huge bulks of a very limited class of commodities, manufacturers were now applying themselves to produce also

smaller quantities of those articles in the production of which taste, skill, and artistic science entered very largely. The hon. Member for West Bradford (Mr. Illingworth) would confirm him in the opinion that the same change was prevalent in regard to the trade of Yorkshire ; indeed, wherever they turned, they found development and increase in the power of producing artistic work. What did that necessitate? It necessitated, of all things in the world, extended rapid means of transit. We could not now afford the time which used to be expended in taking our goods to their respective markets; time was of the essence of all this business, and where weeks under the former condition were of little consequence, now days, and even hours, were of the greatest significance in making profitable arrangements. The day had gone by when the producers of this country might be confined to the production of these masses of ordinary goods; technical skill and scientific teaching were now doing a great work among us, and we were entering upon a phase of industry in which we were becoming not only rivals, but, to a very great extent, successful rivals with Continental producers to whom we used too readily to relegate the production of scientific and artistic work. This march and change in regard to our industries would make greater strides in the future, and, therefore, he claimed for this new and civilized method of communication a position of absolute necessity in regard to the future development of our trade and industries. There was one point which he thought had not been touched upon by previous speakers in this debate, and it was one to which he attached very great importance. He was sure that the time could not be far distant when direct communication would be established between the Continent and India; and he asserted that our politicians and diplomatists would do well to consider this matter, and instead of pursuing a policy in India which was to some extent calculated to inspire feelings of jealousy, alarm, and animosity, they should direct their attention to making those alliances with Russia and the Ruler of Afghanistan which would insure the completion of the railway route to India. That this route would be eventually finished he thought there could be no doubt whatever, and he asked were we alone of all the great Powers of Europe —the greatest commercial Power—to be deprived of direct access by railway to our important Indian Dependency? So much for the trade aspect of this case. There was one other aspect upon which he wished to say a few words, and it was the international aspect. Hon. Members who had spoken from the Benches opposite had addressed the House as if a condition of hatred and possible war with France were a chronic state of things. Pray let them for once imagine the possibility of being at peace with France, and let them allow themselves even to stretch their imagination to such limits as to suppose France might be our possible ally. Were we for ever, to the end of all time, to regard France, our natural ally and friend, as an enemy and as a Power to be held always in a state of antipathy? He considered those old-world prejudices, those worn-out notions of hostility against France, would rapidly disappear under the benign influence of a communication of this sort. The two peoples would get to know each other, to understand one another's views, to appreciate one another's ideas, and in a short time we should all look back with surprise to those feelings of hostility and antipathy which now appeared to animate so many. Now, he approached the consideration of the military aspect of the case with very natural diffidence ; he did not, in fact, intend to offer an opinion on it; he thought it would be sufficient for him just briefly to state what it was, and to draw the attention of hon. Members to it. He thought he was right in saying that the whole of the military scare which had been raised in opposition to this scheme rested not upon probabilities, but on possibilities drawn from a very excited imagination. What were we asked to believe, and he took the list of possibilities from the evidence given by military witnesses before the Joint Committee of 1883? First, they were invited to suppose that there might be a grand European plot, hatched and contrived in a more or less secret manner, against the peace and liberty of this country. He thought that even the gallant Gentlemen, including the hon. and gallant Member who had just spoken (Sir Edward Hamley), who had given

them so much warning of the sort, would hardly fear the assault of any single Power. They were to suppose that there would be secretly a combination of several Powers. As a matter of course, the force would assemble on the shores of France. This assembling was to take place without awakening the suspicion or the apprehension of anybody in this country. The combination having been effected, the united forces must agree upon a general course of operations, which he should think would be rather a difficult thing for them to do. Having so agreed, they must have a general who was foolish enough to trust his army in such a place as the Channel Tunnel. Remember also, that all this time our Military Authorities, our Naval Authorities, our Political Authorities were fast asleep, and that the garrison of Dover and the coast defences were sharing in this Rip Van Winkle slumber. He considered the arguments advanced that day against this civilizing step might be reasonably urged against the construction of any road between one State and another. If a railway made from one State to another was to produce all the terrible consequences which had been foreshadowed in the House that day, he was surprised that they should be continued on the large scale on which they were now projected. But they knew very well that, so far from producing hostility, they tended to peace and a better understanding among the nations. He was convinced that numerous commercial advantages would arise from the construction of this Tunnel; they in the House of Commons had nothing to do at that moment with the question whether the enterprize would pay or not. Hon. Members knew perfectly well that that was a matter which the shareholders would look after for themselves, and it was a matter which would be thoroughly sifted by a Committee of the House. They had only to consider whether it would be wise and prudent to adopt the course suggested; they had to consider whether it would increase or diminish the commerce and prosperity of the country; whether it would draw closer the bonds of friendship between two great countries and increase their good understanding. He was convinced that the establishment of the proposed communication would do all these things, and that by it we should be provided with a splendid insurance against any evil which could possibly arise.

SIR HUSSEY VIVIAN (Swansea District) said, he was the only Member in the House except Mr. Speaker, and he feared that Mr. Speaker's voice could not be heard on that occasion, of the five Members who were appointed by the House of Commons to sit upon the Joint Committee of the Lords and Commons, in 1883, to investigate the question of the construction of the Channel Tunnel; therefore it would ill become him to be silent on this occasion. He did not think that in the speeches which had been delivered sufficient weight had been given to the exhaustive inquiry which took place before the Committee. Before, however, he entered upon the questions which came before the Committee, he thought it necessary to caution the House against being in any way misled by the manner in which this question was put before them by the hon. Member for Hythe (Sir Edward Watkin). The hon. Member said that he brought the Bill forward for the purpose of enabling his Company, or the Company which he proposed to form, to carry on experimental works. It was rightly pointed out by the right hon. Gentleman the President of the Board of Trade (Sir Michael Hicks-Beach) that they could not regard the Bill in that sense; that, if the House passed the Bill to-day, it would pass a Bill affirming the desirability of constructing the Channel Tunnel, and they must take the Bill upon that distinct issue. Upon that distinct issue every man must vote to-day. He knew pretty well the conditions, and from a long experience of underground work, his distinct opinion was that there would be no difficulty in constructing this Tunnel. His opinion was that an undertaking of such magnitude was scarcely ever conceived which would be more easy of accomplishment than the Channel Tunnel. He never saw easier ground or more favourable conditions than he saw when he went through the already existing works of the Channel Tunnel, which were amply sufficient for experimental purposes; and, therefore, he thought it was altogether misleading to put the question forward as one of experiment. It could not be regarded

in that light. Then the hon. Member tried to persuade the House that this was to be regarded as a small drift-way. They all knew that small drivings were always made before large tunnels were broken down, and here again he thought that it was necessary he should caution the House against being misled by any such statement as that this Bill must be regarded as permitting a drift-way which was to be used for electric wires and for the conveyance of mails. He hoped the House would in no way regard it in that sense. This Bill was, in fact, a Bill sanctioning the Channel Tunnel. Now, when he was selected to serve on the Committee, he entered upon his duties with a perfectly open and judicial mind; he was not prejudiced in one way or the other. He was not brought up in what the hon. Member for Hythe stigmatized as the cramped atmosphere of the cabin of a man-of-war, nor was he brought up in the office of an editor of a newspaper. His whole life had been spent in great commercial and manufacturing undertakings; and, therefore, he thought he was about as unprejudiced a witness upon this question as could well be found. The Committee investigated the case with the greatest care; 40 witnesses were examined; of these 40 witnesses, 10 were military men, 3 were naval men, 12 were connected with the great railways of the country, and they were really representative men, the very best of the railway officials and chairmen; 10 were engaged in commerce and manufactures, and two were Government officials. It would be seen that the witnesses brought before the Committee were thoroughly capable of giving to the Committee the opinions of the great undertakings with which they were connected. One remarkable point impressed itself upon him at the very beginning. It was natural, in the first place, to consider what advantages were likely to accrue to the country from the construction of this Tunnel, and whether they conferred adequate compensation for the undoubted dangers which might arise from its construction. One would have supposed that at the very beginning the commercial advantages would have been put forward by the promoters in the strongest possible terms, but such was by no means the case. The Committee thought it was their duty with this object to invite the opinions of the Chambers of Commerce, and they accordingly addressed themselves to the Chairman of the Associated Chambers of Commerce. They received from him this reply—

"The Council of the Associated Chambers of Commerce of the United Kingdom are not prepared to offer evidence on the subject of the Channel Tunnel Bills referred to the Joint Committee of both Houses of Parliament."

If this had been a very large and important commercial question, surely the Associated Chambers of Commerce would have taken a very different line. If they had not done so as a great commercial organization, surely a large number of Chambers of Commerce would have taken an active part in representing to the Committee the advantages which it was presumed were likely to flow from the construction of this Channel Tunnel. But, instead of that, the Chairman, on behalf of the Association, as the extract he had read showed, informed the Committee that the Chambers of Commerce had no desire to say a word in favour of the construction of the Tunnel. The hon. Member for Hythe himself gave evidence, and he (Sir Hussey Vivian) thought those who supported this Bill would do well to read the hon. Gentleman's evidence, because he did not think they would find in it any very strong statement as to the commercial advantages which were to flow from the construction of the Tunnel. In his evidence, the hon. Member for Hythe admitted that—

"There has been nothing that deserved the epithet of a wide and enthusiastic declaration or demand for the Tunnel, upon the part of the trading and manufacturing interests of the country."

SIR EDWARD WATKIN: Read the context.

SIR HUSSEY VIVIAN said, he was not aware that he had misquoted the hon. Gentleman's evidence.

SIR EDWARD WATKIN: Read what precedes, and what follows the passage you have quoted.

SIR HUSSEY VIVIAN said, he had the reference and the evidence, but he could not comply with the hon. Gentleman's wish without troubling the House at too great length; he had read the entire reply to a question put to the Hon. Gentleman. He listened to the

hon. Gentleman's speech that day, and he thought he should have heard some strong statement setting forth the great advantages which would accrue to the commerce of this country from the construction of the Channel Tunnel. He was bound to say, however, that he was very much disappointed, for he heard no such statement; he heard prophetic words of a large and sonorous character, but there was an utter absence of detailed information as regarded the commercial effect of the construction of this Tunnel. Of course, prophecy was very easy; but they wanted material facts to establish the desirability of running the undoubted risk we should run in permitting this Tunnel to be constructed. The hon. Gentleman made four points in regard to the necessity for the construction of this Tunnel. He said that it was needed as a second line of supply for the food of the country. That had been perfectly well met by two speakers already, who had asserted that if we were at war with France we could not get our supplies of food through the Channel Tunnel—that it was only from France we could possibly fear we should lose the command of the sea, and that if we lost the command of the sea, we undoubtedly could not get our food supplies through the Tunnel. Therefore, he thought, the hon. Gentleman's first argument fell to the ground entirely. The hon. Gentleman's second argument was that we should strengthen our military power. He (Sir Hussey Vivian) hardly understood how that could be. Then came the question of the Government not being able honourably to retire from the engagements which were contracted beforehand. Upon that point, he could express no opinion, as he did not belong to either of the Governments concerned; but this was clear, that the question was never decided by Parliament, and that Parliament never came to any resolution whatever in the matter. His right hon. Friend the Member for Mid Lothian (Mr. W. E. Gladstone) referred a great deal to the flourishing condition of this question during the 20 years prior to 1883, yet during that period it never received the sanction of Parliament. He (Sir Hussey Vivian) believed that no one thought at that time that it was possible to construct the Channel Tunnel, and therefore the world at large disregarded the question and never thought seriously of it. At any rate, the question was never brought forward and sanctioned in the House, and they could not go back upon any correspondence which passed between the Government of this country and the Government of France; therefore he considered that this country was in no way honourably pledged or bound by such correspondence. It was only the Parliament of this country that could bind us to any particular action. Now, as regarded the general question. It came out before the Committee that it was perfectly certain that heavy goods would not pay to send through the Tunnel. Take the case of coal. Our transactions with France in coal were very large. Those who were best informed on the question of the coal traffic never ventured to say that the coal traffic with France would be taken through the Tunnel. Why, coal could be delivered in France from the Tyne or from Wales for 4*s.* a-ton and it could be laid down at the very place where it was wanted—at Rouen or Dunquerque, or some other port, close to the place where it was used, and he defied any Railway Company by means of a Tunnel to deliver coal from Newcastle to Dunquerque, or from Newcastle to Rouen, which is in the immediate vicinity of the great manufactories of France, for 4*s.* a-ton or for three times 4*s.* a-ton. The hon. Member (Sir Edward Watkin) knew perfectly well that no Railway Company could do it. There were many other heavy goods which no one had ventured to say were likely to be carried through the Tunnel. It was quite possible that some light and artistic goods might, as the hon. Member for Burnley (Mr. Slagg) had just said, derive some advantage from going through the Tunnel, but heavy goods would never go through it. Then there was the question of distribution, and that, he admitted, was a most important question. The *entrepôt* business of the ports of London and Liverpool was most important and valuable to this country. The evidence given to the Committee upon that point was, that the distribution could take place better from the port of London or the port of Liverpool to the port in a foreign country nearest to the place where the goods were consumed than by going through a Tunnel at one fixed point distant from the place of consumption. Instead of

taking goods to Dover and thence through the Tunnel to Calais, and from there forwarding them to distant places in France, Germany, or Spain, it was much better to deliver them at Havre, or Rouen, or Bordeaux, or Dunquerque, or other French port, or at Hamburg, or whatever port was nearest to the place where the goods were consigned, by a steamer direct from London. Not only was it infinitely cheaper and infinitely better to do so, but they would avoid delay on the French lines. It was pressed upon the Committee very strongly that great delay occurs on the French lines, that when once goods got on the French lines they were not forwarded with the same rapidity that they would be forwarded in this country, and therefore he contended that as fast steamers were now used, it was in all respects better and cheaper to distribute goods from the port of London, or the port of Liverpool, or elsewhere, to the French and German ports, than to send them through a Tunnel and then along the French lines. Such was the evidence given to the Committee, and it produced a very strong impression on his mind. It must be borne in mind that goods so distributed had only one extra loading and not two. It was just as easy, and easier, to put goods from one ship into another at the docks, and then let them be conveyed to a foreign port as it was to put them into a railway truck, and send them through the Tunnel. It was, therefore, only unloading from the ship into a railway truck at the foreign port which was extra, and no more. Very remarkable evidence was given to the Committee with regard to the question of the cost of conveying goods. Mr. Ecroyd, who was then a Member of this House, gave the Committee some very valuable evidence. Mr. Ecroyd said that—

"The freight on wool from London to Bradford is 37*s*. 6*d*. per ton, and from London to Roubaix (in France) 26*s*. per ton."

Therefore, the man who bought wool in London and got it conveyed by rail to Bradford was 10*s*. per ton worse off than the man who, having his manufactory at Roubaix, bought wool in London and got it taken to Roubaix by steamer from London. Mr. Ecroyd went on to say—

"But when the goods are manufactured, the freight between Bradford and London for home-trade goods is 43*s*. 6*d*. per ton, and the freight between Bradford and Paris for the same goods is 33*s*. 9*d*. per ton"—

Again a difference of 10*s*. per ton, although in the latter case the goods had passed over the Channel; and he further remarked—

"So that even where the goods are sent to Bradford for sale and not to London, the French manufacturer has already a very great advantage in the matter of freights in both directions."

Mr. Ecroyd afterwards told them—

"I find, again, that the freight of woollen yarns, such as we produce, from the Roubaix district is 40*s*. per ton to Burnley, my nearest town; but the freight from London to Burnley for the like yarns is 50s. per ton."

He (Sir Hussey Vivian) thought these facts went to show that the French manufacturers had greater advantages by the present sea route than our home manufacturers had by the railway routes within their own country, and that no real commercial advantage was likely to accrue from the construction of a Tunnel. The Committee received a good deal of evidence with regard to wine and other things, but he would not trouble the House by noticing it in detail. What he was particularly anxious to do was to state distinctly, as a Member of the Joint Committee, that in his opinion no case was made out as to the commercial advantages which would flow from the construction of the Tunnel. He had no doubt that advantages would accrue to the passenger traffic; but, after all, what was the sea passage at present? It only occupied an hour and 10 minutes. How much time would be saved by the Tunnel? He doubted very much whether any time would be saved. As to sea sickness, the fact is, that the passage is now made in large boats, and thus fewer people suffered from sea sickness than formerly. Great exertions were now being made on the French side, and we also were expending large sums of money on our own side, to improve the Channel ports. Immense sums were being expended by the French Government at Boulogne and Calais, and he had no doubt that a very superior service of steamers would, before long, become perfectly practicable, and thus still further reduce sea sickness. This question was worked out with considerable

ability by one of our foremost engineers, Mr. John Fowler. Mr. Fowler had produced a scheme for the construction of large steam ferry-boats to cross the Channel—ferry-boats which would take whole train-loads. The proposal was supported by 13 of our most eminent engineers. Mr. Fowler's scheme was twice sanctioned by Committees of the House of Commons, and once by a Committee of the House of Lords. He believed that Mr. Fowler's scheme was quite within the bounds of possibility. He believed that when the new harbours were constructed train-loads could be taken over in ferry-boats, and that people need never be compelled to leave their carriage in the journey from London to Paris. In a construction of that kind, there was no real danger to the country, because it was clear that, so long as we had the command of the Channel, we could prevent the passage of boats of that kind without the slightest difficulty. But if the House sanctioned a Tunnel passing 150 feet beneath the Channel, our fleets might sail uselessly over the Tunnel while thousands and tens of thousands of men were passing through to invade and occupy our country, and the vessels would be perfectly powerless to keep the enemy back. At present we had the grand barrier which Nature had interposed between us and France; but the case would be very different if we constructed such a communication as the Channel Tunnel would afford. In this debate the opinion of military men had been more or less referred to. The Committee examined 10 officers of foremost rank, distinction and experience, and out of that number only one was in favour of the construction of the Tunnel. That officer thought that the risk was infinitessimally small, not worthy of calculation, looking at the manner in which this country had been built up by "incurring risks;" and he went on to say that we ought to invade France; but, on cross-examination, he failed to show how, with our small Army, such an operation would be practicable. Why this country should voluntarily incur risks he altogether failed to see. Unless they could establish a very strong case, a far stronger case than had been established in the House to-day, or had ever been established before, for the construction of this Tunnel, he maintained that we had no business to entail these risks upon ourselves and our posterity. His Royal Highness the Duke of Cambridge was examined before the Joint Committee, and gave the strongest possible evidence against the scheme. He believed there was no more sensible Englishman in the country than His Royal Highness, and what had he said in his evidence? He said this—

"I think it would be destructive of the interests of this country, and, therefore, as you are now perfectly secure, I think anything you do to render it less secure than the country is now, is very dangerous, and, to my mind, not justifiable."

His Royal Highness pointed out to the House that by allowing the construction of this Tunnel they would be creating a land frontier, and that they would be compelled, by force of circumstances, to adopt the same means of defending the country that other countries with a land frontier had been bound to adopt. Now, what did Lord Wolseley say? Lord Wolseley stated that—

"There is no commercial advantage possible to calculate or put into figures that could compensate for the risk that would be entailed upon the country by the construction of the Tunnel, assuming also, commercially, the great inconvenience and loss which the country would sustain in panics when the relations between this country were strained, and that panics would give rise not only to commercial losses and damage to industry, but also occasion great and sudden increases to our military establishment, perhaps without any good reason."

And he further stated that—

"He could think of no national advantage which could justify the construction of the Tunnel."

He went on to say, when asked whether it would be possible to drive an enemy out when it had once obtained possession of the Tunnel—

"I think it would be utterly impossible for this country ever to raise its head again, as a free and independent country, if the Tunnel were in the possession of a foreign nation."

The other military authorities entirely agreed with Lord Wolseley. Sir J. Lintorn Simmons said—

"I am of opinion that if an enemy got possession of the Channel Tunnel, Great Britain, with its present military organization, could not possibly expel that enemy from Great Britain."

And he went on to emphasize that in this way; in reply to Question 2,232—

"Then you think that our national dangers might be increased, and that our national in-

terests might suffer?" He replied: "I think it might bring national ruin; that is my opinion."

"I cannot conceive any amount of commercial advantage that could in any way compensate the risk that would be run."

He (Sir Hussey Vivian) could read to the House evidence of that character repeated over and over again. It must be remembered that these were statements made by our most experienced Generals. Were we altogether to ignore the opinion of our Generals—experts in military matters—who were the best qualified men amongst us, and bound to consider this question under the grave responsibilities of their position. They had considered it with the greatest possible anxiety, and had come to a distinct and, he might say, unanimous decision against the construction of the Tunnel. He need hardly say that naval men were of exactly the same opinion as the military authorities. Then what an enormous cost would the construction of this Tunnel entail upon the country. Supposing that Parliament allowed the Tunnel to be made, one of the results would be, that we should have to construct a first-class fortress at the mouth of the Tunnel. That would cost a very large sum; some estimated it at £1,500,000, others at £3,000,000. In the first place, this enormous expense would be entailed in order to construct a first-class fortress, and then we should have to keep in it 8,000 to 10,000 men, who would cost from £40 or £42 to £100 a-year each, the latter sum being about the average cost of a soldier of the Regular Army. That meant a permanent increase of our military establishment to the amount of £1,000,000 per annum. But it did not end there. If we once had a land frontier to this country we should be bound to increase our Army—we should be bound to increase it, he might say, to the same extent as foreign nations had increased their Armies. Why had we not been under the necessity of increasing our Army heretofore? Simply because by means of our Navy we had command of the Channel, and because we believed, and he thought rightly, that no enemy could invade us. If they did invade us, we believed that we could shut them up in this country, cut off their base of operations, and entirely destroy and annihilate them. But the very moment they got a land connection all that ceased, and we might depend upon it that the first step of anybody who might desire to invade this country—a Napoleon if he came to life again—would be to seize our end of the Channel Tunnel. Our only security would be in increasing our Army, so that we should be able to meet the Army of France man to man. If they were prepared to do that he, for one, would never oppose the Channel Tunnel. He opposed it entirely because he knew that the Army of this country was not sufficiently numerous and powerful to meet the Army of France, and that it would give rise to a vast increase of our Military expenditure. If they would to-morrow decide upon the adoption of the conscription, and raise an Army of 500,000 men even—he would not say 1,000,000—then he would go into the Lobby for the Channel Tunnel; but so long as he knew that we were not prepared to meet France so long would he oppose the scheme, as he believed that it would be an enormous national danger. His right hon. Friend the Member for Mid Lothian has contrasted the population of England with that of France now and at the time of the war, and had drawn the conclusion that we were now numerically nearly equal to France, while, at the time of the war, we were not much more than one half. He admitted that that would be a weighty argument if his right hon. Friend were prepared to pursue it to its logical sequence and to enact for this country conscription and the same military organization as that of France; otherwise the argument had no practical force. Well, hon. Gentlemen who were in favour of this Tunnel believed that we could be rendered safe against invasion by having the means of destroying the Tunnel at a moment's notice; but the evidence taken by the Joint Committee led him (Sir Hussey Vivian), at any rate, to a wholly different conclusion. So far as blowing up the Tunnel was concerned, he told the House distinctly, having had long experience in colliery matters, that they could not do it. They could not blow up a drift or tunnel 150 feet below the ground. If that were possible many of our collieries would have been blown up long ago. They had had plenty of explosions quite as severe as any which could be occasioned by dynamite or anything else which could be exploded in the Channel Tunnel — and though the under-

ground workings were more or less shattered for a certain time, he had never yet known of a colliery blown up to the surface—it was impossible, in fact, to blow up 150 feet to the surface, and it was ridiculous nonsense to talk about it. Then it was suggested that the Tunnel might be mined—that mines of dynamite might be placed around it, and that by touching a button—he thought that was what the hon. Baronet (Sir Edward Watkin) himself had suggested—at the War Office, or in any part of England, they would be able to blow the sides of the Tunnel in. But what did Sir John Hawkshaw—who was rather interested in the making of this Tunnel—say to that? Why, he said that no one would trust himself in a Tunnel mined and charged with dynamite, and liable to be blown to pieces by the touch of some official on a button. He thought Sir John Hawkshaw showed his wisdom when he said that. He (Sir Hussey Vivian) wondered what the sea-sick old lady would say when she knew that she was travelling over dynamite, and that it rested with some one at the War Office whether or not a button was to be touched. Then it was said they might construct such sluices as would flood the Tunnel; but the right hon. Baronet the President of the Board of Trade (Sir Michael Hicks-Beach) had very properly pointed out that we should not know from time to time whether these sluices were in proper order. It would not be possible to exercise them every week or fortnight, and they might get rusted and refuse to act at the critical moment. They would be depending upon delicate mechanical construction which, after a given number of years, might not act as they were expected to do, and thus the safety of the country would depend upon the compliance or refusal of a valve to do the work required of it. Even if a system of this kind were adopted, the question would arise who was to turn the valve or press the button? It would be a very serious question to determine upon—namely, the destruction of this great work and the sacrifice of millions invested in it. If the Tunnel were made, who would take the responsibilty on himself? Suppose that relations were strained between this country and France, at what period of this straining of relations would it be proper to give the order to flood or destroy the Tunnel? His own impression was that no one would be inclined to take upon himself the responsibility of giving such orders, and that the Tunnel would never be destroyed or flooded. They were not altogether without knowledge of what had occurred in cases of this kind. The tunnels through the Vosges mountains between France and Germany were mined, the mines were charged, and there was an officer in charge of the mines instructed to blow them up when the order was given. Instructions were sent to that officer to blow up the tunnels during the Franco-Prussian War, but the officer did not do it; he was afraid of doing it, and the result was that the German Armies passed through. Very well, were we in this country going to create a danger of that kind; were we going to lay this country open to invasion in that way, and for what reason? Had any sufficient reason been given? He answered that it had not. He declared as one who, having listened to all the commercial evidence upon this point, and to all the speeches this day, could not but submit that no sufficient evidence had been given to warrant this House in undertaking the enormous responsibility of creating this danger to the country. Long immunity from war would abate the vigilance we might at first exercise. They must bear this in mind, that long negotiations and extensive correspondence did not generally precede the breaking out of hostilities. The House had had a Paper presented to it which was prepared by the Intelligence Departments—showing that between the years 1770 and 1871 there had been 107 cases in which hostilities had broken out without notice. We might be well assured that if this country was going to be invaded, we should have uncommon little notice of the fact. Now, his right hon. Friend the Member for Mid Lothian (Mr. W. E. Gladstone) had instanced the case of Napoleon, and had said that that great General, with all his military skill and ability, had never been able to invade this country. But then Napoleon had no Channel Tunnel, and he possessed no fast screw steamers which he could concentrate upon a given objective point with absolute certainty at a given hour of any day. The conditions with which Napoleon had to deal were wholly different, as he prepared to bring his troops across in open boats. Therefore,

they could not draw a parallel between the state of things in the time of Napoleon and those which would prevail to-day if war broke out. They must anticipate that hostilities would commence without notice, and if the House should sanction the construction of a Channel Tunnel, it must be prepared at all times, and under all circumstances, to resist any attempt by *coup de main* to take possession of the English end of the Tunnel. The right hon. Gentleman the Member for Mid Lothian had said that there had been no anxiety in France in regard to the French end of the Tunnel. Well, why should there be when France had 10 soldiers and 10 guns to our one? Why should they be afraid of any invasion from this country? That was really not in question. As he had said before, if they would raise the numbers of our Army so as to meet the French man to man, he was quite sure that we should not only be able to resist them, but to march from one end of France to the other and take possession of the country without the slightest difficulty. He had no hesitation in saying that. He was a great believer in the pluck and endurance of Englishmen, but that was not our position, and Parliament was not prepared to place the country in that position; and he believed that anyone who voted for the second reading of this Bill to day—though he might not believe it at the time—was assuredly taking a step towards rendering conscription inevitable in this country.

Lord RANDOLPH CHURCHILL (Paddington, S.): If I may say so without presumption, I think the hon. Baronet (Sir Hussey Vivian) who has just concluded his speech has made a most valuable and effective contribution to the consideration of this subject this afternoon, and I deeply regret that the attendance in the House was not larger while that contribution was being delivered. Although one would not have thought, from the state of the House, that this question was one of great importance, still there can be no doubt whatever that the importance of the question cannot well be exaggerated, and the only deduction I draw from the somewhat scanty attendance on the Benches on both sides of the House is, not that the subject is not one of importance, but that no interest is taken either in the country or by Parliament in the project we are asked to sanction. The hon. Baronet has addressed to the hon. Member for Burnley (Mr. Slagg), and those who think with him, a convincing and unanswerable argument with regard to the commercial results which are expected to flow from this enterprize. It struck me particularly, when the hon. Members for Hythe and Burnley were addressing the House mainly on this question, that they carefully avoided all facts, figures, and statistics, and dealt solely in generalities. Now, I put it to the hon. Member for Burnley—who is a practical man, and who occupies a deservedly high position in the commercial world, and who has defended this scheme in general phrases—whether, as a man of business, he would invest his money in this project? Unless he is prepared to give not only an unmistakable but a ready reply to that question, then his argument as to the commercial advantages of the Tunnel comes to absolutely nothing.

Mr. SLAGG: I have stated that the commercial aspect of the question is not before the House. When it is before the House, I shall be quite ready to give an opinion upon it. It is a matter which, in the nature of things, it would be most improper to comment upon until it is put before us formally and we know the exact conditions and circumstances of the case.

Lord RANDOLPH CHURCHILL: I know that that question is not before the House. I know the hon. Member and the hon. Baronet have declined to bring this question before the House. But generally, in trying a commercial point, we must know whether investment in an enterprize would be likely to produce a good dividend; and on this point I should say there were no better judges anywhere than the hon. Member and the hon. Baronet, and if the enterprize in question were likely to produce a good dividend, those hon. Gentlemen would not be likely to conceal their opinion from the House. I pass from the commercial question to the other considerations involved. The right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), not in the least discourteously, but at the same time very forcibly, compared the arguments of the right hon. Baronet the President of the Board of Trade (Sir Michael

Hicks-Beach) to bugbears. Now, the speech of the right hon. Baronet the President of the Board of Trade was especially useful in this, that he reminded the House of what seemed to have been forgotten, I admit, that the whole question has been carefully investigated by the highest investigating authority known to this House. We often have recourse to Royal Commissions and Select Committees, but we very rarely have recourse to a Joint Committee of both Houses of Parliament; and it was the Report of such a Joint Committee, which has been so well summarized and explained by the hon. Baronet who spoke last (Sir Hussey Vivian), that formed the weighty foundation for what the right hon. Gentleman the Member for Mid Lothian has called bugbears. Have we really come to this, that an important, weighty, and prolonged Inquiry, conducted by men of position, taking evidence on a question like this, extending over several weeks, and its deliberately and carefully considered Report, is to be stigmatized by the right hon. Gentleman the Member for Mid Lothian as a mere collection of fancies and phantoms and bugbears? That is an assertion altogether too loose, and it is unworthy of the right hon. Gentleman the Member for Mid Lothian. The chief feature of this debate has been the intervention of the right hon. Gentleman the Member for Mid Lothian; and so high does Party feeling run at this moment, so exasperated even are certain subjects in politics, that I greatly fear that there will be a minute and microscopic inquiry to-morrow morning, mainly conducted through the Press, as to the motives which may have induced the right hon. Gentleman to lend his aid to the hon. Member for Hythe. I am not concerned myself to examine into that matter; but I fancy a calculation might be made of a very formidable character to the right hon. Gentleman, and the calculation which I think Party polemics may lead to is this. If the right hon. Gentleman is going to pay as the price of abstention from a vote against his Irish policy—if he is going to pay so much as a Channel Tunnel, what will he pay for a vote, and what will he pay for a group of votes? I do not go into that calculation myself, but that it will be made I have no doubt whatever. I am tempted to make the calculation on account of the extreme weakness and absolute inaccuracy of the reasons advanced by the right hon. Gentleman the Leader of the Opposition (Mr. W. E. Gladstone) in support of his change of mind on this question. The right hon. Gentleman said that, in 1881, in 1883, and, again, in 1885, opposition was made by his Government, as a Government, to this project; but that opposition had reference, he says, only to the time at which the proposal was made, and had no reference to the principles of the controversy. That is absolutely contradicted by the speech made in 1883 and by the speech made in 1885 by the then President of the Board of Trade (Mr. J. Chamberlain); and there is no one in this House who will be bold enough to assert that, at any rate in those palmy days, the then President of the Board of Trade did not possess the complete confidence of the right hon. Gentleman. What did the then President of the Board of Trade say in 1883? On the 24th July, 1883, he said that—

"A Committee of both Houses was appointed. That Committee had now concluded its labours; and although the Members of the Committee had been unable to agree upon any detailed Report, they had made a Report to the House to the effect that the majority of the Committee were of opinion that Parliamentary sanction should not be given to a submarine communication between England and France."

Now, there is no limit of time to qualify this condemnation. Then he goes on—

"The Government having considered both the Report of the Committee, and also the state of circumstances which it disclosed, had decided to adopt their decision."—(3 *Hansard*, [282] 285.)

Not a word in the nature of qualification, not a hope held out to the hon. Baronet the Member for Hythe; but, Sir, we find a remarkable persistency, which is worthy of note, considering the way in which people change in the present day—a remarkable persistence in this view on the part of the right hon. Gentleman the then President of the Board of Trade, because, two years later, when not a shade or a shadow of difference existed between himself and the right hon. Gentleman the Member for Mid Lothian, he used these words—

"From the moment the question arose as to whether the making of this Tunnel might not constitute a great national danger"—

A bugbear, as the right hon. Gentleman says—

"they laid it down that the fullest possible inquiry must be held into that question; and, as a final result, they determined that the whole matter should be considered by a Joint Committee of both Houses, and they agreed to accept the opinion of that Committee."—(3 *Hansard*, [298] 337.)

Well, I think I have shown that the reasons which the right hon. Gentleman has given for lending the weight of his authority in support of a project which, as the Head of a Government, he had strongly and unreservedly condemned, are inconclusive reasons, and not based upon adequate Parliamentary considerations. I am, undoubtedly, impressed against this project; and perhaps I may as well here state to the House that it would be difficult for anyone to take part in a debate of this kind in a more impartial frame of mind than myself, for I am actually a shareholder in a Channel Tunnel, though not the Channel Tunnel of the hon. Baronet the Member for Hythe.

SIR EDWARD WATKIN: The noble Lord is a shareholder in the Tunnel which I have the honour to represent. I saw his name on the register only yesterday.

LORD RANDOLPH CHURCHILL: All I can say is I am extremely sorry to hear it. It is entirely against my will. The hon. Baronet seems to exercise that extraordinary power of absorption and of devouring every rival scheme which he has so often shown in connection with other projects. It was without my knowledge that he has absorbed into his capacious maw the little enterprize in which I had an exiguous amount of stock. I wish to look at this project from an impartial point of view and without prejudice. But we are told by the hon. Baronet that no possible danger can arise to this country from the construction of this Channel Tunnel. He has told us that it may be easily blocked. I hope the House observed that he carefully abstained from using the word "destroyed"—he said it might be easily blocked by certain machinery which he, or some friend of his, had invented, connected with a button which was to be touched by a Secretary of State for War in a Cabinet in Pall Mall. I ask whether such a ridiculous proposition was a worthy argument to be introduced into such a question as we have before us? Imagine a Cabinet Council sitting in the War Office, around the button; fancy the present Cabinet gathered together and having to decide who should touch the button, and the difficulty of coming to a conclusion whether it ought to be touched. I think that point of the button shows the absurdity of all the precautions we might take to close the Tunnel in the event of war. But we have to consider other possibilities besides the event of war. We have to consider the possible event of what are called strained relations, and that is a matter of much importance, which has only been glanced at, but which I think should be considered with a great amount of care. We must consider the possibility of strained relations between this country and France, because this is a project which is to make our communications with France more easy. I venture to notice, in passing, the rebuke which the right hon. Gentleman the Member for Mid Lothian addressed to my right hon. Friend the President of the Board of Trade for having asserted, as I think rightly, that the prospects of stability in the Government of France were, perhaps, at the present moment, not so bright as they were four or five years ago. The right hon. Gentleman said—

"How can you make that assertion, considering that the French Republic went the other day through the arduous and critical operation of electing a President?"

But that is a proceeding which has to be gone through from time to time, and the fact that the political conflict has taken place does not seem to me to be an indisputable proof of permanence and stability in the Constitution. I wonder that the right hon. Gentleman, who I believe follows French politics very closely, does not recollect that my right hon. Friend had in his mind the very great and, possibly, for all we know, most formidable movement which is now passing through France, and especially in the Provinces against the Government. I do not want to dwell on the fact, although I think my right hon. Friend was right in alluding to the stability, greater or less, of the French Republic. But I come to a much more important question. The right hon. Gentleman seems to think that a great change has come over the public mind with regard to our relations with France, and with regard to the construction of this Tunnel. But are there not ample reasons to ac-

count for the change? Twenty-five years ago there were at least three elements of great force which united us with France. We had at that time the recollection of the then recent Crimean War, and of having shared with the French Government all the dangers, the hazards, and expense of that war. We had the effect of the French Treaty which the right hon. Gentleman himself negotiated—and I suppose he would be the last to impair the effect of that Treaty in producing cordial relations between England and France; and then there was a Ruler in France who, on many occasions, had shown himself to be determined on close and friendly alliance with this country. These were the elements which produced real friendship between the two countries. I do not say that that friendly feeling has by any means disappeared; but I point out that the great elements have absolutely disappeared which gave rise to it. The feeling exists; but we have a new element which might, at any moment, produce most dangerous discord between the two countries, and I allude to the element for which we are indebted entirely to the right hon. Gentleman the Member for Mid Lothian, and that is the occupation of Egypt. As an independent Member I can state my opinion without entailing any responsibility on anyone else, and I say it is my deliberate opinion and conviction that, as long as the occupation of Egypt continues, there is what I may call a sub-acute *casus belli*. In support of that assertion, I remind the right hon. Gentleman of what occurred last year, when not only was there a state of dissatisfaction in France, but the French Ambassador informed the Sultan that if he agreed to a Convention with us for the occupation of Egypt, it would be the cause of probable hostility between France and England. We know that our occupation of Egypt produces in the French mind most intense feelings of dissatisfaction. Whether it is beneficial or not, our occupation arouses every feeling of pride and jealousy of which the French mind is capable, and when we know that nothing but the placing of the most complete control upon themselves on the part of the people of France prevents an outbreak of those feelings, I say it is absurd to go back 25 years, and charge those who are sceptical as to the permanence and durability of the French Government as being mere alarmists. I feel sure that the right hon. Gentleman will, on reflection, be of opinion that there are now matters at issue between us and France that might produce a set of circumstances, now happily unknown, when all in this House, without any difference whatever, would be extremely thankful that the Channel Tunnel has not been made. The right hon. Gentleman threw doubts upon the value of military opinions with regard to the matter, but he naturally treated them with more respect than did the hon. Baronet the Member for Hythe, who treated military opinions against his scheme with the same amount of contempt as he would those of a recalcitrant shareholder at a half-yearly meeting of the South-Eastern Railway Company. The right hon. Gentleman certainly adduced an argument which seemed to be satisfactory to his own mind to show why military opinion should not be held to be of great or conclusive weight in this matter. He said he had great respect for military opinion, so far as it related to the absolute operations of war; but he limited his respect to those operations. That strikes me as somewhat illogical. What should we say of a person who said to a physician—"I have great respect for you as long as you are treating a specific disease, but I have none whatever in you when you advise me as to what precautions should be taken to prevent that disease?" I am sure he would be regarded as a most unpractical person. If we are not to pay attention to the advice of our naval and military men in this matter, whose opinions are we to consider? Upon this subject, it is to be observed, that there has been a remarkable unanimity among military men as to the effect of the Tunnel from a military point of view. I am opposed to this Bill on the general grounds such as I have indicated, which go to show that no case has been made out for our running the risk that would here be involved, and no case showing any great and preponderating advantage by which we should be compensated for running that risk. And now I come to the great argument which I am sorry I could not address to the right hon. Gentleman before he spoke, for it is one which I think, with great confidence, will have some effect on hon. Gentlemen before

me. Sir, I am invincibly opposed to this project on the ground of economy. I am sure that one certain effect of the Tunnel would be to lead the country into largely increased military expenditure. Now, the right hon. Gentleman the Leader of the Opposition has a mind capable of rising to every subject which interests the mind of man, and he deals with every subject which he approaches with an ability which is surpassed by almost no other person; but there is one subject which I do not think has attracted the genius of the right hon. Gentleman, and that is expenditure and organization in military and naval affairs. Those are matters of which I think the right hon. Gentleman has not made himself master, and he is indeed somewhat ignorant of what is going on with regard to them, inasmuch as they do not attract his notice. At a time like the present, he is perhaps not aware of the tremendous opposition which exists among military authorities against this project of a Channel Tunnel. Is he aware that it has been proved month by month, and day by day, with increasing force, within the last two or three years, that our military and our naval organization, which is our bulwark without the Tunnel and would be ten times our bulwark with it, is in a state in which no sensible man would place any reliance? Is he aware that there are not 50 independent Members of the House of Commons who would vote confidence in our present military and naval arrangements? I do not think the right hon. Gentleman is aware of that fact. But does the right hon. Gentleman know that we are now going through what in this country produces panic, and that without any Tunnel in existence there are demands for millions of money to be spent in one direction and millions in an other, and for thousands of men to be added to the Army? Does he know that there is in this House a struggling Party for economy and a growing Party in favour of expenditure, who would use the Channel Tunnel as a lever in support of their demands for increased military expenditure? We know that if the Tunnel were constructed, between £2,000,000 and £3,000,000 must be immediately laid out in fortifications. That is not denied. The hon. Member for Hythe, in a burst of unusual generosity—a generosity in his own career absolutely without precedent—when the right hon. Gentleman was in power and the proposal was made to construct the Tunnel, held out some hopes that the shareholders, over whom he appears to exercise some great influence, would vote those millions themselves; but he never denied that a large expenditure would be necessary for the purpose of defending the mouth of the Tunnel. Are hon. Gentlemen opposite who are interested in economy prepared by their votes this day—for the sake of illusory commercial advantages, for the sake of closer friendship with France, which has been shown to be of an equally illusory character—to impose on the taxpayers of the country, either next year or the year after, several millions of taxation for the purpose of fortifying the approaches to the Tunnel? If they are, then I cannot see how they can claim to be practical economists. I feel certain that my right hon. Friend the Member for East Wolverhampton (Mr. Henry H. Fowler) will be affected by this argument, and that he feels great difficulty indeed in supporting a project which he knows, as well as I do, must lead inevitably to a great increase of military expenditure. These are the grounds on which I oppose the Motion, and I consider the arguments are unanswerable in view of the fact that no corresponding advantage has been proved to be likely to accrue from the construction of the Tunnel. I conclude by urging on the House of Commons the well-known trite and common-place maxim — essentially a Conservative maxim—"Let well alone." It is not denied that our position at the present moment, so far as defensive purposes go, is a good one. I may take refuge in the obscurity of a learned language and compare the position of Great Britain to that of *virgo intacta*. I say it is essentially a good position. Now the hon. Baronet, with his immense patriotism and ardent desire to improve the condition of the people and the wealth and power of the country, comes forward and offers to make that position a better one. And again, Sir, I have recourse to a common-place, and will remind the House and the hon. Baronet, in the hope that they will treat it with the consideration which it deserves, that "Better is the enemy of Good,"

Lord Randolph Churchill

SIR HENRY TYLER (Great Yarmouth) (who spoke amid cries of "Divide!") said, he rose to speak on the question because he found himself placed in a very peculiar position with regard to this subject, and he felt he ought to apologize to the House for not having previously spoken. He had the honour, in 1875, of being appointed by the Conservative Government of that day, together with Mr. Kennedy, the eminent Head of the Commercial Department of the Foreign Office, and the then Solicitor to the Post Office, as a Commissioner to negotiate with some French gentlemen of eminence on the subject of a Channel Tunnel. He would point out that the Conservative Government at that time were thoroughly committed to the principle of a Channel Tunnel equally with the ex-Liberal Government. The right hon. Gentleman the present First Lord of the Treasury (Mr. W. H. Smith) was at that time the Officer, as Secretary to the Treasury, of the Conservative Government, under whom he (Sir Henry Tyler) had acted in negotiating for 12 months with the French Commissioners, at the conclusion of which a Convention was framed and signed by the Commissioners on behalf of the two Governments, and that Convention was agreed to with the full approval of his right hon. Friend and the Conservative Government of the day. The hon. Baronet opposite (Sir Hussey Vivian) had given the House a *précis* of the evidence taken later, before Lord Lansdowne's Commission, which had awakened in his mind many memories with regard to the reports he had made in the past in connection with our communication with India, the Channel communications, and other matters. He felt that he stood now somewhat in the position of a principal criminal before those Members of the House who were so strongly opposed to the project, as one who had on public grounds originally approved and promoted the idea of a Channel Tunnel. He still believed, however, that a Channel Tunnel would be of great commercial advantage to this country and to Europe, and he believes strongly, from ample experience, in the humanizing and civilizing effects of facility of intercourse. In his opinion, instead of the 300,000 who went to and from the Continent in 1875 by the existing shorter means of communication, and the 500,000 who now travelled by those routes, there would be many times that number passing through the Tunnel. He was also of opinion that there was a good deal of misapprehension on the part of hon. Gentlemen on that side of the House as to the danger which might possibly arise, from a military point of view, through this work being carried out. The questions of flooding, blocking, and defending the Tunnel were very simple. The length of the Tunnel would be 23 miles under the sea, and there would be three or four miles of approaches at each end making a total length of 30 miles. There would be a depth of about 200 feet of sea above the Tunnel and the tremendous pressure of water which that represented would always be available at any moment, under proper arrangements, for the purpose of flooding the Tunnel in case of need. Now, it was agreed by the Convention between the two Governments that it should be in the power of either Government not merely to flood or damage or destroy the works of the Tunnel when there was any apprehension of war, but, whenever it was thought fit, to stop the traffic, and that those powers should be exercised without compensation; the only stipulation being that the term of the concession should be lengthened by the addition of the time for which the traffic would be so stopped. He remembered that arguments similar to those now put forward were used against the construction of a railway to Southampton, and the construction of the Suez Canal had been warmly opposed as being likely to endanger British interests. He had at the time when that Canal was under construction ventured to suggest that it would be of more value to British commerce than that of any other nation; and, knowing as an old officer of Engineers how easily and cheaply and securely a Channel Tunnel might be defended, he was now of opinion that no case had been made out against the proposal.

Question put.

The House *divided:*—Ayes 165; Noes 307: Majority 142.

AYES.

Abraham, W. (Glam.)	Austin, J.
Allison, R. A.	Balfour, Sir G.
Allsopp, hon. P.	Bentinck, rt. hn. G. C
Anderson, C. H.	Biggar, J. G.
Asher, A.	Bradlaugh, C.

Bright, Jacob
Brunner, J. T.
Bryce, J.
Buchanan, T. R.
Byrne, G. M.
Caine, W. S.
Cameron, C.
Campbell, Sir G.
Campbell-Bannerman, right hon. H.
Carew, J. L.
Cavan, Earl of
Channing, F. A.
Childers, right hon. H. C. E.
Clancy, J. J.
Clark, Dr. G. B.
Cobb, H. P.
Coddington, W.
Colman, J. J.
Commins, A.
Condon, T. J.
Conway, M.
Conybeare, C. A. V
Courtney, L. H.
Cox, J. R.
Craven, J.
Crawford, W.
Cremer, W. R.
Crilly, D.
Crossley, E.
Deasy, J.
Dickson, T. A.
Dixon, G.
Ellis, J.
Ellis, T. E.
Esmonde, Sir T. H. G.
Esslemont, P.
Fenwick, C.
Finucane, J.
Firth, J. F. B.
Flower, C.
Flynn, J. C.
Foley, P. J.
Forster, Sir C.
Fox, Dr. J. F.
Gilhooly, J.
Gill, T. P.
Gladstone, right hon. W. E.
Gourley, E. T.
Graham, R. C.
Greenall, Sir G.
Hamilton, Col. C. E.
Harrington, E.
Harrington, T. C.
Harris, M.
Hayden, L. P.
Healy, M.
Holden, I.
Hooper, J.
Illingworth, A.
James, hon. W. H.
Joicey, J.
Kay-Shuttleworth, rt. hon. Sir U. J.
Kenny, J. E.
Kenny, M. J.
Kilbride, D.
Lane, W. J.
Lawson, Sir W.
Leahy, J.
Leake, R.
Lefevre, right hon. G. J. S.
Lewis, T. P.
Macdonald, W. A.
Maclure, J. W.
Mac Neill, J. G. S.
M'Arthur, A.
M'Cartan, M.
M'Donald, P.
M'Donald, Dr. R.
M'Kenna, Sir J. N.
M'Lagan, P.
M'Laren, W. S. B.
Mahony, P.
Marum, E. M.
Mayne, T.
Menzies, R. S.
Molloy, B. C.
Montagu, S.
Morgan, O. V.
Morley, rt. hon. J.
Morley, A.
Mundella, rt. hn. A. J.
Murphy, W. M.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, J. F. X.
O'Brien, P. J.
O'Brien, W.
O'Connor, A.
O'Connor, T. P.
O'Doherty, J. E.
O'Gorman Mahon, The
O'Hea, P.
O'Keeffe, F. A.
O'Kelly, J.
Palmer, Sir C. M.
Parnell, C. S.
Pease, H. F.
Pickard, B.
Picton, J. A.
Playfair, right hon. Sir L.
Potter, T. B.
Powell, W. R. H.
Power, R.
Priestley, B.
Pugh, D.
Puleston, Sir J. H.
Quinn, T.
Randell, D.
Redmond, J. E.
Redmond, W. H. K.
Reed, Sir E. J.
Reynolds, W. J.
Roberts, J.
Roe, T.
Rollit, Sir A. K.
Roscoe, Sir H. E.
Rowlands, J.
Rowlands, W. B.
Russell, Sir C.
Samuelson, Sir B.
Samuelson, G. B.
Schwann, C. E.
Sexton, T.
Shaw, T.
Sheehan, J. D.
Sheehy, D.
Stack, J.
Stansfeld, rt. hon. J.
Storey, S.
Stuart, J.
Sullivan, D.
Sutherland, A.
Tanner, C. K.
Thomas, A.
Tuite, J.
Tyler, Sir H. W.
Wallace, R.
Watkin, Sir E. W.
Wayman, T.
Williamson, J.
Williamson, S.
Wilson, C. H.
Wilson, I.
Woodall, W.
Woodhead, J.

TELLERS.

Slagg, J.
Summers, W.

NOES.

Addison, J. E. W.
Agg-Gardner, J. T.
Aird, J.
Allsopp, hon. G.
Ambrose, W.
Amherst, W. A. T.
Anstruther, Colonel R. H. L.
Anstruther, H. T.
Ashmead-Bartlett, E.
Atherley-Jones, L.
Baden-Powell, Sir G. S.
Bailey, Sir J. R.
Ballantine, W. H. W.
Banes, Major G. E.
Baring, T. C.
Barnes, A.
Barran, J.
Barry, A. H. S.
Bartley, G. C. T.
Barttelot, Sir W. B.
Bates, Sir E.
Baumann, A. A.
Bazley-White, J.
Beach, right hon. Sir M. E. Hicks-
Beach, W. W. B.
Beadel, W. J.
Beaumont, H. F.
Beckett, E. W.
Bective, Earl of
Bentinck, Lord H. C.
Bentinck, W. G. C.
Beresford, Lord C. W. de la Poer
Bethell, Commander G. R.
Biddulph, M.
Bigwood, J.
Birkbeck, Sir E.
Blundell, Col. H. B. H.
Bolitho, T. B.
Bolton, J. C.
Bonsor, H. C. O.
Boord, T. W.
Borthwick, Sir A.
Bridgeman, Col. hon. F. C.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brookfield, A. M.
Brooks, Sir W. C.
Brown, A. H.
Bruce, Lord H.
Burghley, Lord
Burt, T.
Buxton, S. C.
Campbell, Sir A.
Campbell, J. A.
Carmarthen, Marq. of
Chamberlain, R.
Chaplin, right hon. H.
Charrington, S.
Churchill, rt. hn. Lord R. H. S.
Clarke, Sir E. G.
Coghill, D. H.
Colomb, Sir J. C. R.
Compton, F.
Cooke, C. W. R.
Corbett, A. C.
Corry, Sir J. P.
Cotton, Capt. E. T. D.
Cozens-Hardy, H. H.
Cranborne, Viscount
Cross, H. S.
Crossley, Sir S. B.
Cubitt, right hon. G.
Curzon, Viscount
Dalrymple, Sir C.
Davenport, H. T.
De Cobain, E. S. W.
De Worms, Baron H.
Dillwyn, L. L.
Dimsdale, Baron R.
Dixon-Hartland, F. D.
Donkin, R. S.
Dorington, Sir J. E.
Duncan, Colonel F.
Duncombe, A.
Dyke, right hon. Sir W. H.
Edwards-Moss, T. C.
Egerton, hon. A. J. F.
Egerton, hon. A. de T.
Elcho, Lord
Elliot, hon. A. R. D.
Elliot, hon. H. F. H.
Elliot, G. W.
Elton, C. I.
Evershed, S.
Ewart, Sir W.
Ewing, Sir A. O.
Eyre, Colonel H.
Farquharson, H. R.
Feilden, Lt.-Gen. R. J.
Ferguson, R. C. Munro-
Fergusson, right hon. Sir J.
Field, Admiral E.
Fielden, T.
Finch, G. H.
Finlay, R. B.
Fisher, W. H.
Fitzgerald, R. U. P.
Fitzwilliam, hon. W. H. W.
Fitzwilliam, hon. W. J. W.
Fitz-Wygram, General Sir F. W.

Fletcher, Sir H.
Foljambe, C. G. S.
Folkestone, right hon. Viscount
Forwood, A. B.
Fraser, General C. C.
Fulton, J. F.
Gardner, R. Richardson-
Gaskell, C. G. Milnes-
Gathorne-Hardy, hon. J. S.
Gedge, S.
Gent-Davis, R.
Giles, A.
Gilliat, J. S.
Goldsmid, Sir J.
Goldsworthy, Major General W. T.
Gorst, Sir J. E.
Goschen, rt. hon. G. J.
Gray, C. W.
Green, Sir E.
Greene, E.
Grey, Sir E.
Grotrian, F. B.
Grove, Sir T. F.
Gunter, Colonel R.
Gurdon, R. T.
Hall, A. W.
Hall, C.
Halsey, T. F.
Hamilton, right hon. Lord G. F.
Hamilton, Lord C. J.
Hamley, Gen. Sir E. B.
Hanbury, R. W.
Hankey, F. A.
Hardcastle, E.
Hardcastle, F.
Hastings, G. W.
Hayne, C. Seale-
Heath, A. R.
Heathcote, Capt. J. H. Edwards-
Heneage, right hon. E.
Herbert, hon. S.
Hermon-Hodge, R. T.
Hervey, Lord F.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hingley, B.
Hoare, E. B.
Hoare, S.
Hobhouse, H.
Holloway, G.
Hornby, W. H.
Houldsworth, Sir W. H.
Howard, J.
Howell, G.
Hubbard, hon. E.
Hulse, E. H.
Hunt, F. S.
Hunter, Sir W. G.
Isaacson, F. W.
Jackson, W. L.
Jacoby, J. A.
James, rt. hon. Sir H.
Jardine, Sir R.
Jeffreys, A. F.
Jennings, L. J.
Johnston, W.
Kelly, J. R.
Kennaway, Sir J. H.
Kenny, C. S.
King, H. S.
Knatchbull-Hugessen, H. T.
Knightley, Sir R.
Knowles, L.
Lafone, A.
Lambert, C.
Lawrence, Sir J. J. T.
Lea, T.
Lechmere, Sir E. A. H.
Lees, E.
Leighton, S.
Lennox, Lord W. C. Gordon-
Lewis, Sir C. E.
Lewisham, right hon. Viscount
Llewellyn, E. H.
Lockwood, F.
Long, W. H.
Lowther, hon. W.
Lubbock, Sir J.
Lymington, Viscount
Macartney, W. G. E.
Macdonald, rt. hon. J. H. A.
Mackintosh, C. F.
Maclean, F. W.
Maclean, J. M.
M'Arthur, W. A.
M'Ewan, W.
Madden, D. H.
Makins, Colonel W. T.
Mallock, R.
Maple, J. B.
Mappin, Sir F. T.
Marriott, rt. hon. Sir W. T.
Matthews, rt. hon. H.
Mattinson, M. W.
Maxwell, Sir H. E.
Mildmay, F. B.
Milvain, T.
More, R. J.
Morgan, hon. F.
Moss, R.
Mowbray, rt. hon. Sir J. R.
Mowbray, R. G. C.
Mulholland, H. L.
Muncaster, Lord
Muntz, P. A.
Neville, R.
Newark, Viscount
Noble, W.
Norris, E. S.
Norton, R.
Paget, Sir R. H.
Parker, hon. F.
Pearce, Sir W.
Penton, Captain F. T.
Plowden, Sir W. C.
Plunket, rt. hon. D. R.
Pomfret, W. P.
Portman, hon. E. B.
Powell, F. S.
Price, Captain G. E.
Raikes, rt. hon. H. C.
Rankin, J.
Reed, H. B.
Richard, H.
Richardson, T.
Ridley, Sir M. W.
Ritchie, rt. hn. C. T.
Robertson, Sir W. T.
Robertson, E.
Robertson, J. P. B.
Robinson, B.
Ross, A. H.
Rothschild, Baron F. J. de
Round, J.
Russell, T. W.
Saunderson, Col. E. J.
Sellar, A. C.
Seton-Karr, H.
Shaw-Stewart, M. H.
Sidebotham, J. W.
Sidebottom, W.
Sinclair, W. P.
Smith, right hon. W. H.
Smith, A.
Smith, S.
Spencer, J. E.
Stanhope, rt. hon. E.
Stanley, E. J.
Stevenson, J. C.
Stewart, M. J.
Stokes, G. G.
Sutherland, T.
Swetenham, E.
Sykes, C.
Talbot, J. G.
Taylor, F.
Temple, Sir R.
Theobald, J.
Thomas, D. A.
Thorburn, W.
Tollemache, H. J.
Tomlinson, W. E. M.
Townsend, F.
Vernon, hon. G. R.
Villiers, rt. hon. C. P.
Vincent, C. E. H.
Vivian, Sir H. H.
Walsh, hon. A. H. J.
Warmington, C. M.
Watson, J.
Webster, Sir R. E.
Webster, R. G.
Weymouth, Viscount
Wharton, J. L.
Whitley, E.
Whitmore, C. A.
Wiggin, H.
Will, J. S.
Wilson, Sir S.
Winn, hon. R.
Wodehouse, E. R.
Wood, N.
Wortley, C. B. Stuart-
Wright, H. S.
Wroughton, P.
Yerburgh, R. A.
Young, C. E. B.

TELLERS.

Douglas, A. Akers-
Walrond, Col. W. H.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for three months.

LIBEL LAW AMENDMENT BILL.

(*Sir Algernon Borthwick, Sir Albert Rollit, Mr. Lawson, Mr. Jennings, Dr. Cameron, Mr. John Morley, Mr. E. Dwyer Gray.*)

[BILL 294.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. KELLY (Camberwell, N.): I do not wish to offer any opposition to the third reading of this Bill; but, with the permission of the House, I would offer a short personal explanation with reference to matters which occurred when the Bill was in Committee, or came before the House on the Report stage. Frequent allusion had been made to a case in which 50 or 60 actions had been brought by a solicitor practising at Salters' Hall Court, E.C., in respect of the same libel. In order to avoid giving

unnecessary pain to the surviving relatives of the plaintiff in those actions, I spoke of them as having been brought by a person whom I would call "John Smith," of Salters' Hall Court, instead of, as the fact was, by a Mr. Henry Tucker. It was mentioned that he had died before any of the actions had been tried; that at the time of his having brought them he had been a bankrupt; and that the libel consisted in a statement as to his having been struck off the Rolls as a solicitor who had been guilty of fraudulent practices. By a strange coincidence, it turns out that there is a Mr. Henry John Smith practising as a solicitor at Salters' Hall Court. He feels aggrieved at the name of Smith having been introduced into the debates, and desires me to state publicly that I did not in any way intend to allude to him. I therefore wish to say that I had at the time no knowledge even of his existence, and I am anxious to express my regret that, in attempting to spare others pain, I should have occasioned him annoyance. As to the late Mr. Tucker, it is wholly untrue that he was a bankrupt at the time of his having brought the actions. He had had to contend with some pecuniary difficulties some time before; but they were passing or had already passed away at the date of the publication of the libel. Under these circumstances, an absolutely false statement to the effect that he had been guilty of fraudulent practices necessarily did him great injury—so great indeed, as his relatives state, as to have actually hastened his death. I thank the House for having allowed me to make this short personal explanation, which, I think, in justice to the parties concerned, seemed to be both right and necessary.

Question put, and *agreed to.*

Bill read the third time, and *passed.*

OATHS BILL—[Bill 7.]

(*Mr. Bradlaugh, Sir John Simon, Mr. Kelly, Mr. Courtney Kenny, Mr. Burt, Mr. Coleridge, Mr. Illingworth, Mr. Richard, Colonel Eyre, Mr. Jesse Collings.*)

COMMITTEE. [*Progress 20th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Affirmation may be made instead of oath).

Mr. Kelly

Mr. HUNTER (Aberdeen, N.) said, he had an Amendment to move to the Clause, the object of which was to exempt from the necessity of taking the oath any person who should declare that he entertained conscientious objections to doing so. He had put down this Amendment in consequence of seeing upon the Paper some others to which he objected, and the words of it he had taken from the Act of the 2nd *Vic.* Cap. 77, which was passed to meet a case similar to that with which the Committee had now to deal. In 1838 Parliament had to deal with the case of persons who had been Quakers, and who, so long as they were Quakers, had been excused from taking the oath, and who made an affirmation instead. But the provisions enacted with regard to them did not apply to those who had ceased to be Quakers, and who had consequently ceased to be able to make affirmation. The words of the Act were—

"I, A. B., having been one of the people called Quakers, and entertaining conscientious objections to the taking an oath, do solemly and sincerely and truly affirm . . . . "

He submitted that those words were less offensive, less objectionable, and more suitable than the words of the other Amendments which he had seen on the Paper. He had no hesitation in saying that he should prefer to see the Bill passed in the form in which it had been introduced by the hon. Member for Northampton (Mr. Bradlaugh). The Bill as introduced gave an entirely free option to every person called upon to take the oath, as to whether he would take it or make affirmation. It had been alleged by some hon. Members in the course of the debates on the Bill, that if that free option were carried there might be a loss to the administration of the law, inasmuch as persons who were likely to be influenced by an oath might take advantage of the option to escape from their obligation. He did not attach much importance to that argument. The practice of requiring witnesses to take the oath or make affirmation was an historical survival; it had really little sense or meaning at the present day. The Committee could easily understand that when there was no punishment by the Criminal Law for those who gave false evidence in judicial proceedings—

where the witness was left entirely and distinctly to his own conscience and exacted from him no solemn affirmation—the oath was of the highest consequence. But as soon as it enacted imprisonment with or without hard labour or seven years' penal servitude for those who gave false evidence, the more powerful sanction made the other far less necessary and important, because the only case in which it could be suggested that the oath was important was in the case where neither of the other sanctions had any effect on the mind of the witness. There were three sanctions which operated on the mind of a witness—first, the sanction of the law; secondly, the sanction of the moral law; and, thirdly, there was the sanction derived from the particular consequences supposed to follow the violation of an oath. It seemed to him that the class of men incapable of being influenced by the religious sanction, but capable of being influenced by the moral sanction, or by the fear of seven years' penal servitude, must be extremely limited, if, indeed, it did not exist purely in the imagination. Now, it was for the sake of that limited class that some alteration was proposed to be made in the Bill of the hon. Member for Northampton. He entirely objected to any alteration which would convert a man's appearance in the witness box into an opportunity for counsel to make inquisition into his religious belief. There were, unfortunately, at the present day many persons who Boycotted others who did not understand their religious notions, and no one who came from Scotland could have lived without experience of that kind. It was not right, and it was not just, therefore, that a man who involuntarily, and, perhaps, against his will, was dragged forward to a Court of Justice to assist the administration of the law, should be required to say either that he had no belief at all, or that his religion was very queer, in order that he might be able to make affirmation instead of taking the oath. Now, the words which he found in the Act he had referred to did not raise any inquiry into the character of a man's religious opinions; he simply had to say that he entertained conscientious objections to taking the oath; and more than that, he thought it was not right in the interest of the public that it should be demanded from him. For these reasons, considering the shortness of the time at their disposal, he would not occupy the time of the Committee further than to move the Amendment in his name.

Amendment proposed,

In page 1, line 5, after the word "person," insert the words "who shall declare that he entertains conscientious objections to the taking of an oath."—(*Mr. Hunter.*)

Question proposed, "That those words be there inserted."

MR. BRADLAUGH (Northampton) said, he was bound by the undertaking given to the House on the second reading. He should be glad to see the Amendment carried; but if it were carried, he should take it as the sense of the Committee, and should not be bound by the other Amendments.

SIR GEORGE CAMBPELL (Kirkcaldy, &c.) said, he thought the Solicitor General should state whether he was ready to consent to the Amendment of the hon. Member for North Aberdeen.

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth) said, he was just about to do that when the hon. Gentleman rose. He certainly could not accept the Amendment of the hon. Member for North Aberdeen, and if it were carried, he should feel it his duty to resist by every possible means the passing of the Bill. He thought they were entitled to have some definite expression of intention from the hon. Member for Northampton with regard to the question; upon a matter of the kind, however, he did not think the Committee could come to any decision that afternoon. His intention in rising was simply to say that he could not accept the Amendment, which seemed to him to depart from an essential matter of principle. His experience had led him to believe in the value of an oath, and he was entirely opposed to the view of the hon. Member for North Aberdeen (Mr. Hunter), that it was an absurd historic survival. He knew that the oath was a very valuable instrument for getting at the truth in Courts of Justice, and he should certainly resist any Amendment to enable an individual who wished to escape from the influence of the religious sanction upon his mind to do so by saying that he had conscientious objections to taking the oath. If the discussion should go on upon an other

occasion in Committee, he might have something further to say; but he wished to make it clear that the Amendment of the hon. Gentleman was vital, and that if it were accepted, he should wish it to result in the rejection of the Bill.

MR. BRADLAUGH said, he should have considered it more respectful to the Committee to have explained his views on this subject; but, as he was prevented from doing so by the shortness of the time at his disposal, he should reserve his remarks to a future occasion.

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities) said, he would ask the hon. Member for North Aberdeen to consider whether the Amendment which he proposed did not place before anybody who objected to tell the truth very strong grounds for saying that he had conscientious objections to taking the oath?

It being half after Five of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon *Wednesday*, 4th July.

MOTION.

—o—

STATUTE LAW REVISION (MASTER AND SERVANT) BILL.

On Motion of Mr. Howell, Bill to repeal certain Statutes relating to Master and Servants, in particular manufactures, which have ceased to be put in force or have become unnecessary, *ordered* to be brought in by Mr. Howell, Sir Henry James, Mr. Mundella, Mr. William Hunter, Mr. T. M. Healy, Mr. Hoyle, and Mr. Fenwick.

Bill *presented*, and read the first time. [Bill 310.]

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, 28*th June*, 1888.

MINUTES.]—PUBLIC BILLS—*First Reading*—Libel Law Amendment * (190); Consolidated Fund (No. 2)*.

Second Reading—Habitual Drunkards Act (1879) Amendment (No. 2) (138); Companies (153); Limited Partnerships (159).

Select Committee—Report—Land Charges Registration and Searches [No. 185].

Committee—Quarter Sessions (37-187); Timber Acts (Ireland) Amendment (69-188); Pharmacy Act (Ireland), 1875, Amendment (168-189).

Committee — Report — Suffragans' Nomination (176).

Report — Land Charges Registration and Searches (40-186).

Royal Assent—Customs (Wine Duty) [51 & 52 *Vict.* c. 14]; Westminster Abbey [51 & 52 *Vict.* c. 11]; Electric Lighting Act (1882) Amendment [51 & 52 *Vict.* c. 12]; National Debt (Supplemental) [51 & 52 *Vict.* c. 15]; Land Law (Ireland) Act, 1887, Amendment [51 & 52 *Vict.* c. 13].

PROVISIONAL ORDER BILLS—*First Reading*—Tramways (No. 3) * (191).

Second Reading—Local Government (Poor Law) (No. 7) * (164); Local Government (No. 8) * (172); Local Government (No. 10) * (173); Local Government (No. 11) * (174); Water (No. 2) * (157); Gas and Water * (156); Tramways (No. 2) * (166); Oyster and Mussel Fisheries (West Loch Tarbert) * (145).

Third Reading—Local Government (Highways) * (149); Local Government (Port) * (151), and *passed*.

Royal Assent — Local Government (Ireland) (Bangor and Warrenpoint) [51 & 52 *Vict.* c. xxxiii]; Metropolitan Commons (Farnborough, &c.) [51 & 52 *Vict.* c. xxxi]; Metropolis (Whitechapel and Limehouse) [51 & 52 *Vict.* c. xxxii]; Local Government [51 & 52 *Vict.* c. xxxix]; Local Government (No. 2) [51 & 52 *Vict.* c. xl]; Local Government (Poor Law) [51 & 52 *Vict.* c. xli]; Local Government (Poor Law) (No. 2) [51 & 52 *Vict.* c. xlii]; Local Government (Poor Law) (No. 3) [51 & 52 *Vict.* c. xliii]; Local Government (Poor Law) (No. 4) [51 & 52 *Vict.* c. xlviii]; Local Government (Poor Law) (No. 5) [51 & 52 *Vict.* c. xlix]; Metropolitan Commons (Chislehurst and St. Paul's Cray) [51 & 52 *Vict.* c. l]; Public Health (Scotland) (Denny and Dunipace Water) [51 & 52 *Vict.* c. li]; Metropolitan Police [51 & 52 *Vict.* c. lvi]; Local Government (No. 3) [51 & 52 *Vict.* c. lxi]; Local Government (No. 4) [51 & 52 *Vict.* c. lxii]; Local Government (Poor Law) (No. 6) [51 & 52 *Vict.* c. lxiii]; Tramways (No. 1) [51 & 52 *Vict.* c. lxiv].

EDUCATION—REPORT OF THE ROYAL COMMISSION—PREMATURE PUBLICATION.—OBSERVATIONS.

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS) My Lords, at a meeting of the Royal Commission on Education held this day, in consequence of what has appeared in the columns of *The Times* newspaper and some other papers, I was requested, as their Chairman, to state in my place in Parliament that the account which has appeared in *The Times* of the Report of

the Royal Commission upon Elementary Education is unauthorized and is incorrect in many important particulars. It is based, apparently, upon drafts which had not received the final sanction of the Commission, but which must have been surreptitiously obtained. It would, of course, be a gross breach of duty to communicate to the public any matter contained in a Report to be submitted to the Queen before it has been laid before Her Majesty, and the Commission will not be able to make any Report public until their recommendations have been submitted to Her Majesty, which will probably not be for some weeks. The statements professing to indicate the character of a minority Report have no authority or justification.

HOUSE OF LORDS (LIFE PEERS) BILL.

QUESTION.

EARL BEAUCHAMP asked the Prime Minister when the second reading of the Peerage Bill would be taken?

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): Tuesday week may be a suitable day.

HABITUAL DRUNKARDS ACT (1879) AMENDMENT (NO. 2) BILL.—(No. 138.)

(*The Earl of Aberdeen.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF ABERDEEN, in moving that the Bill be now read a second time, said, the purpose of the Bill, which had come up from the House of Commons, was to make permanent the Act of 1879. It was not necessary for him to dilate upon the misery and distress resulting from habitual drunkenness. He would merely observe that the attention of medical science had been increasingly applied to the malignant and relentless character of what might rightly be described as the "disease of inebriety," and the verdict of medical science was unquestionably in favour of such legislation as that contained in the Bill—only it would go a great deal further. Parliament, however, was wisely jealous concerning any measure which appeared to afford the slightest risk of undue interference with liberty. The Bill was, therefore, limited to 10 years. Two things were apparent from this experimental legislation—first, the complete sufficiency of the safeguards proposed for the regulation of the homes for habitual drunkards provided under the Act; and, secondly, the extensive need of, and also the extensive benefits conferred by, those homes. Those benefits would be extended if the Act were made permanent, because the temporary character of the Act of 1879 necessarily hampered the good work such homes as those now existing were intended to promote, for the obvious reason that people were not willing to invest capital in institutions in which no permanency could be guaranteed. From the excellent results obtained in many of these establishments, they held a high place in public estimation. Persons in all conditions of life—doctors, lawyers, and clergymen—who had inherited or acquired a disposition to alcoholic excess sought their shelter. He would only add that ample provision was made for inspection. In the absence of such an Act as this there was a real danger of unauthorized establishments springing up where no such guarantee could be provided. He hoped their Lordships would read the Bill a second time.

Moved, "That the Bill be now read 2ª."—(*The Earl of Aberdeen.*)

EARL BROWNLOW said, he should offer no objection on the part of the Government to the second reading of the Bill. He would only call attention to Clause 3, the wording of which was not, he thought, sufficiently strong to secure the object of the clause. He had conferred privately with the noble Earl in charge of the Bill, and believed that he would be prepared to strengthen the clause in Committee.

Motion *agreed to*; Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

COMPANIES BILL.—(No. 153.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

LORD BRAMWELL said, he would remind their Lordships that the advan-

tages of limited liability were so great that the great banking houses of London had adopted the principle very much to the good of everybody concerned. He believed the principle of limited liability had been very useful in enabling parties to combine small capitals. They were told the law had been abused, but he would ask their Lordships not to attach too much weight to that. He did not make these remarks for the purpose of objecting to any amendment of the law. On the contrary, the good will with which he regarded the law of limited liability would rather make him desire to see any improvement made that could be devised; but he doubted whether his noble and learned Friend on the Woolsack or the Gentleman who drafted the Bill were the persons most qualified to discover the defects and to remedy them. Long before he knew this Bill was to be introduced he stated his own inability to do so. Lawyers were not so well acquainted with these matters as those who were concerned in the promoting and winding-up of Companies, and he thought those who could best inform their Lordships of the defects in the law were the solicitors, accountants, and others who were concerned in such business. He thought that this Bill would be a proper subject for consideration by a Select Committee which could take evidence. The first clause provided for the provisional registration of the Company. This he did not think at all unreasonable; but it was to be remembered that under a previous Act such provisional registration was required, and that Act had been repealed. The provision as to the appointment of trustees in whose names the money paid in respect of shares was to be deposited would not, he thought, afford much protection, for promoters who meant mischief would appoint trustees who would be puppets in their hands. The second clause appeared to have been drawn up upon the assumption that all Companies were publicly advertised and that the shares were allotted to the public. But that, he was informed, was a very great mistake. Many Companies were got up by persons who allotted the shares among themselves. He did not suggest that there was anything secret or irregular in these cases; they were perfectly respectable and *bonâ fide*. The conditions necessary to entitle a Company to complete registration were some of them open to great exception. It was provided that one-fourth of the shares should have been subscribed for, and that not less than one-tenth of the nominal amount subscribed should have been paid in cash. That would mean that if the capital was £1,000,000, shares to the amount of £250,000 should have been subscribed for, and that £25,000 should have been paid in cash. But it now often occurred that though the nominal capital was very large, the amount required to be called up was very small. Thus, in the case of the Law Fire Assurance Company, the nominal capital was £5,000,000, but an exceedingly small portion of this had been actually paid. He knew of a case of a Mining Company in Cornwall whose success was such that it was never found necessary to call up more than £10. This provision would be exceedingly inconvenient in many cases. Thus, in the case of a patent, a small amount might be sufficient to test its value and work it, yet no Company could be formed unless this large proportion of the subscribed capital was called up. If the capital was fixed at a high figure more would have to be called up than might be required, whereas, if it was fixed at a low figure, it might turn out that extensive experiments were required, and the capital would in that case not be sufficient. The requirement that each director should not hold less than 10 shares, and that the total number of shares held by the directors should be not less than one-fifth of the total number applied for, would also, he thought, unduly interfere with the legitimate creation of Companies. According to the Bill it appeared that the provisional directors would alone be responsible for misstatements in a prospectus. He thought that the directors who succeeded them ought also to be held responsible, for they ought not to become directors without having made all proper inquiries into the arrangements made by the provisional directors. Clause 11, which dealt with the liability of directors in respect of qualifying shares, was a well-intentioned section, but the provision that any man who accepted the post of director must at once pay up his shares was open to criticism. A preferable arrangement would be that the director should either pay up

his shares or undertake not to transfer his rights in respect of them. Section 13, which provided for the issue every year of a balance-sheet seven days before the meeting of the Company, contained what was really a useless provision, for it was impossible to guard against fraud and roguery by the publication of a balance-sheet. The provision was objectionable because if a Company were compelled to distribute a balance-sheet its secrets would become known to its competitors, and it would thus be seriously hampered in its operations. He had personal knowledge of a most respectable and successful Company which had certainly been in existence for 60 years and which never produced a balance-sheet for the inspection of the shareholders. Clause 15, providing for a report by the liquidator on the winding up of a Company, was open to objection because it would impose a very disagreeable task upon the liquidator, who was generally nominated by the directors of the Company to be wound up, and because it contained no provision giving a person incriminated by the report the right of being heard. A provision ought to be inserted in the Bill to enable a man who was ask to lend money to a Company to inspect the register before making the loan. As the law would stand, unless the Bill were amended, he would not have the right to inspect the register before lending his money, and that right ought certainly to be given.

LORD THRING said, he was bound to characterize the Bill as a retrograde measure, for it would re-impose upon joint-stock Companies all the burdens and difficulties from which they hoped the past legislation had set them free for ever. The series of Acts which were consolidated in 1862, and again subsequently, had enabled Companies to be formed with a minimum of cost, and as a result commerce had increased by leaps and bounds and the country had benefited largely in a variety of ways.

THE EARL OF MORLEY asked the Lord Chancellor to explain how the permanent directors were to be made liable for any statement calculated to mislead in the Memorandum issued by the provisional directors.

LORD HERSCHELL said that he would not trouble their Lordships with many observations, as most of his remarks on the Bill had been anticipated by the noble and learned Lord who had addressed the House. Were they in a position to judge whether a measure of this sort would be likely to work well or ill? Schemes might look very well on paper and yet work indifferently; indeed, if they did not do good they might do harm by creating a false impression or by hampering undertakings which it was not desirable to subject to difficulty. Therefore, unless there was reasonable certainty, and this scheme was likely to answer and do good, there would be the danger of serious risks in adopting it. Had they the information which would enable them to express a substantial opinion? He had read criticisms praising the Bill as likely to be useful and others condemning it as mischievous; and the light of nature did not enable him to arrive at any certain decision. In his opinion some modifications would be necessary in the scheme proposed for the requisites to complete registration. He doubted whether any real security was gained by requiring that the directors of a Company should hold one-fifth of the paid-up capital. The result might be to exclude from the directorate the men best fitted to direct the affairs of a Company, for it did not follow that the man who had the most money would be the best director. What might be a large interest to one man might be a small one to another. It might be well to require that each director should have a status which should insure his taking interest in the affairs of the Company; but a large interest on the part of the directorate as a whole was compatible with one man having a very large stake and with the stakes of others being very limited. He had some doubt as to the expediency of presenting the form of the balance-sheet. In cases where there was keen competition, balance-sheets would be studied with the object of injuring those who published them, while they could easily be made to appear to be satisfactory in the case of Companies that were not on a sound footing, and the good done in checking reckless conduct might not at all compensate for the injury that might be done in other cases. In the case of paying Companies, he did not think the provision as to audit would be of much value; and as to the allowance for depreciation, the directors were left

to fix that as low as they pleased. He did not make these remarks in any spirit of hostility to the Bill, for some improvement in the working of the Limited Liability Acts was called for, and if anything could be done to make them work better it was well worth doing. He only doubted whether they were in possession of sufficient information to enable them to remedy existing evils.

THE EARL OF SELBORNE said, that, as there was no Notice of Amendment, he did not see what was aimed at by critical speeches on all the clauses of the Bill. There were serious evils deserving of a serious effort to remedy them if it could be made, as he believed it might be, without retrogressive legislation. Some of the provisions of the Bill might require to be amended, but he did not see in it any evidence of intentional retrogression. It was generally felt that more might be done than had been to check frauds and abuses in connection with the formation of Companies, and the Bill seemed calculated to do that. The subject was one on which the opinion of the Board of Trade might be important; and, if the Bill was a lawyer's measure, and had not been considered by the Board of Trade, then it might have been desirable that it should be referred to a Select Committee, if the state of the Business of the House had made that course possible.

EARL GRANVILLE said, the noble and learned Lord's strictures upon the debate would apply to the discussions upon all second readings. The subject was not a new one; still it was a convenient practice that, on the second reading of a Bill, some justification of its provisions should be offered. He was not quite sure that it was a matter upon which the authority of the Board of Trade would be absolute, for it could scarcely possess any special knowledge. But it would be satisfactory if they could hear some defence of the Bill against the arguments of the noble and learned Lord by whom it had been criticized.

THE LORD CHANCELLOR (Lord HALSBURY) said, it seemed to him that one of the speeches that had been made would properly have been followed by a Motion for the rejection of the Bill. But it was an error to suppose that this was a lawyer's Bill, in the sense that its provisions had been suggested by lawyers. They had only put into shape the remedies that were recommended by mercantile men for the evils that had been complained of in the working of the Act of 1862. No one who had to do with the Courts of Law could doubt that there was an enormous amount of fraud committed in connection with some of those Companies, or that there was an enormous quantity of capital taken from innocent people by persons who issued fraudulent prospectuses. It might almost be said that a class of persons existed who lived by getting up fraudulent Companies and then wrecking them. In using the word draftsman on a former occasion, he had simply adopted the phrase as it was commonly used in the Courts of Law in reference to any clause. It very often happened that there was a volunteer draftsman of particular clauses when a Bill was going through Committee, and he certainly had not had the smallest idea of reflecting on the noble Lord (Lord Thring) in using the phrase in the sense in which he had employed it; nor had he supposed that the noble Lord was the draftsman of the particular clause in question. He felt the difficulty which a noble Lord near him had pointed out — that if he were to go through the Bill and justify it clause by clause, he should be doing what was not usual on the second reading, although he admitted that it was quite right that he should be asked to state the substance of the measure. The principle of those clauses was that, in the first instance, the promoters of a Company should, during the period of provisional registration, be Directors, and should be responsible for the conduct of the intended enterprize; and the provisions to which attention had been drawn in that discussion were designed to make it necessary that those persons should have a real and substantial interest in the concern. The object was to make those who presumably would issue the prospectus and put forward the scheme personally responsible for every false statement in the prospectus. There were now persons without means, without any capital at all to work the concern, who got up the scheme in the first instance, and then coaxed or beguiled a number of respectable persons to join the Company; and after that other persons were deceived, by seeing those respectable names, into taking shares

and investing their money. That was the system which it was now sought to challenge; and it had been thought, not by lawyers, but by commercial men, that legislation with that object should be introduced. He had received remonstrances against the Government not being sufficiently active in bringing forward that Bill for the protection of commerce from many of our great towns. A noble and learned Lord had said that the insistence by legislation on the preparation of a balance-sheet was one of those mediæval superstitions which it might have been thought had died out. But an analogous provision of that kind had been introduced into a previous Act with good effect, and it was considered that it would prove useful in the present measure. With regard to the comments which had been made as to the defaults of Directors, he did not agree that a man who by his negligence caused injury to others should not be called on to pay a fine. If a Director wilfully and intentionally issued a false prospectus, or in other respects issued statements which were fraudulent to his knowledge, he ought to be held guilty of misdemeanour; but if the thing was not done wilfully or with his knowledge, but through the want of proper care on his part, he could be fairly made to pay a pecuniary fine. If their Lordships thought that the proposal of provisional registration was itself a mistake, then he conceded that a Bill on those lines could not receive their approval; but if there was to be provisional registration, and that provisional registration was only to be for a certain period, then he asked what class of legislation was desired in order to insist that persons putting forward a scheme of a Company should be themselves really interested in it and should give such a guarantee to the public that they had a substantial stake in the concern? Nothing could be, he thought, more appropriate than that such persons should subscribe a certain amount of the capital. The Government, having considered the matter on their responsibility, had deliberately adopted the principle of provisional registration. The history of that Bill was this:—As originally framed it was introduced to their Lordships by his noble Friend (Lord Stanley of Preston) when President of the Board of Trade. That noble Lord had since been called to another sphere of duty; and now he himself had succeeded to the treatment of the subject, he should say, rather than of the Bill of which that noble Lord was the author. The result of that had been that the Bill now before their Lordships was the Bill which Her Majesty's Government now asked the House to read a second time. As to the suggestion that the Bill should be referred to a Select Committee, he had to remember the period of the Session at which that suggestion was made. If the Bill had been brought in early in the Session he would at once have acceded to that suggestion; but it was impossible not to see that acceding to it now would mean that they were not to pass any such Bill at all this Session. There was a pressure on the part of commercial men for a measure dealing with that subject, and he did not feel at liberty to agree to send that Bill to a Select Committee. At the same time, when they came to the Committee stage of the Bill, he should be very glad to receive the assistance of noble and learned Lords in improving its details.

Motion *agreed to;* Bill read 2ª accordingly.

TIMBER ACTS (IRELAND) AMENDMENT BILL.—(No. 69.)

(*The Lord Privy Seal.*)

COMMITTEE.

House in Committee (according to order).

Clause 1 (Amendments on the Timber Acts).

THE LORD PRIVY SEAL (The Earl of CADOGAN) proposed an Amendment, which, he explained, would have the effect of practically taking the Schedule out of the Bill, and referring only to one of the old Timber Acts—namely, the 23 & 24 *Geo.* III. c. 39, intituled—"An Act to amend the Acts relating to the planting of Timber Trees." He proposed this Amendment in order to meet the objections which had been raised by a noble Earl behind him on the second reading of the Bill.

Amendment *moved*, in page 1, line 5, leave out ("the Timber Acts") and insert—

("The Act of the Session of the Irish Parliament of the twenty-third and twenty-fourth years of the reign of King George the Third,

chapter thirty-nine, intituled 'An Act to amend the Acts relating to the planting of Timber Trees' ");

in line 9, leave out ("the Timber Acts") and insert ("the said Act of King George the Third"); and in line 12, leave out ("the Timber Acts") and insert—

("The said Act of King George the Third, and the other Acts relating to the planting of Timber Trees in Ireland.")—(*The Lord Privy Seal.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 2 *agreed to.*

Clause 3 (Amendment of Landlord and Tenant (Ireland) Act, 1870, s. 4).

A noble LORD (for Lord SUDELEY) proposed an Amendment providing that no claim may be made under this Act, or under any of the Acts mentioned in the Schedule of this Act, exceeding in amount the value of the trees at the time the claim was made. In 1886, when the Bill identical to this was passed through their Lordships' House, a similar Amendment to this was also passed.

Amendment *moved,*

In page 1, line 25, after ("Acts") insert ("Provided always, that no claim may be made under this Act, or under any of the Acts mentioned in the Schedule of this Act, exceeding in amount the value of the trees at the time the claim is made.")

EARL CADOGAN said, he would recommend their Lordships to accept the Amendment; but he would wish to have an alteration made in the wording of it. It would be unfair to the tenant that the compensation should be limited simply to the value of the trees at the time at which they were planted, because he might have incurred other expenses in making fences, trenching, and so on.

Amendment *amended,* and *agreed to.*

Clause, as amended, *agreed to.*

Remaining Clauses *agreed to.*

The Report of Amendments to be received *To-morrow;* and Bill to be *printed* as amended. (No. 188.)

LIMITED PARTNERSHIPS BILL.

(*The Lord Bramwell.*)

(NO. 159.) SECOND READING.

Order of the Day for the Second Reading, read.

LORD BRAMWELL, in moving that the Bill be now read a second time, said, that as his noble and learned Friend on the Woolsack stated that the Bill which had lately been under discussion was recommended by mercantile people, so he would begin by saying that this Bill was recommended by the Associated Chambers of Commerce. The principle of the measure was to enable several persons to be united in partnership of whom one or more should be liable under the ordinary terms of partnership, while one or more should be liable only to a definite and limited amount. If he should be asked to what use the powers thus given could be put, he would quote the answer which he gave to a similar question when Limited Liability was under discussion —it was impossible to say. There was scarcely any case in which the Bill might not be applicable. Suppose a man was carrying on a private business and that illness made him desirous to retire. He might have got children or old servants whom he wished to assist in continuing the business. But he did not want to continue a partner so as to be liable to his last acre or his last shilling, though he was willing to stake a certain amount for which alone he should be liable. The principle of the Bill seemed to him a perfectly right one, and therefore he asked their Lordships to read it a second time.

Moved, "That the Bill be now read 2ª." —(*The Lord Bramwell.*)

Motion *agreed to;* Bill read 2ª accordingly.

IMPERIAL DEFENCES — DEFENCE OF ESQUIMAULT HARBOUR.

QUESTION. OBSERVATIONS.

LORD SUDELEY: My Lords, as your Lordships will remember, in the discussion which took place in your Lordships' House a short time ago on the subject of the defences of Vancouver's Island, Her Majesty's Government stated that, after fully considering the rival positions of Esquimault and Burrard's Inlet, they had, on the advice of their experts, decided to keep the naval headquarters at Esquimault. That being the decision of Her Majesty's Government, I have no wish to say one single word with regard to it, though I regret very much that they came to that

decision; but although, My Lords, as that decision has been arrived at, I regard the matter as finally settled. I am sure your Lordships will agree with me that it is of the utmost importance now that it has been definitely arranged that Esquimault is to be the permanent naval headquarters of our Naval Station on the Pacific, and that it is absolutely necessary that no time should be lost in rendering that position thoroughly defended, it being at present absolutely undefended. I am anxious, therefore, to ask Her Majesty's Government a Question of which I have given Notice; but before doing so, there is another point to which I desire to refer for one moment, and it is a point of some importance. It appears that considerable alarm has been produced in the minds of Gentlemen connected with Burrand's Inlet, as the terminus of the Canadian Pacific Railway, at the idea which was conveyed during the discussion to which I have referred, that Burrand's Inlet was not in any way to be protected. The impression was given by that discussion that Burrand's Inlet could not be defended, either from the mainland or from the sea, and that that was one great reason why the Admiralty thought it necessary to keep the naval headquarters at Esquimault. I have received information from a naval officer of very high standing, connected with the locality, showing that from the mainland it would be very easy to defend Burrand's Inlet, as the attacking force would have to cross three rivers and an impenetrable forest. I hope my noble Friend when he comes to answer my Question will be able to say that when Esquimault has been fortified the Admiralty, or Her Majesty's Government, will consider the advisability of placing some guns at the entrance to Burrand's Inlet, so that it may also be protected from the sea in the event of hostile ships passing Esquimault and coming up to attack it. I beg to ask Her Majesty's Government, What arrangements have been made with the Dominion Government of Canada for the defence of the naval headquarters in the Pacific, Esquimault Harbour; and if the plans for the fortifications and defences have been finished, when the works will be commenced, and when the armaments will be sent out; and, whether the Government will state by what date the fortifications will be completed and the guns placed in position?

THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My Lords, in reply to the Question which appears on the Paper, I have to inform the noble Lord that no arrangements have been actually made with the Dominion Government of Canada, but that arrangements have been proposed for the defence of Esquimault, as was stated in your Lordships' House on June the 12th, and have been communicated to the Dominion Government by me on the 13th of June. On learning from the Dominion Government that they assent to the arrangements, with or without any alteration of details, Her Majesty's Government will then be in a position to immediately proceed with the works that are contemplated, and no time will be lost. I may say that the guns and such further armaments as are to be provided from this country are in a very forward state at present, and there will be no delay on that score. Therefore, that answer really covers the whole of the noble Lord's question. Before, of course, the plans for the fortifications and defences have been finished here, no works can be commenced, and no further steps will be taken until we receive the answer of the Dominion Government. As regards the point the noble Lord last referred to, I think that those who are afraid for the safety to Burrand's Inlet may rest tolerably well at ease, considering what was stated on June the 12th by the noble Lords who then spoke, and by the opinion which I have stated to the Dominion Government, an opinion which received the concurrence of both the Naval and Military Departments. Perhaps the noble Lord will allow me to read in support of this view, one passage from the despatch which I then forwarded to the Dominion Government—

> "It will be observed that the proposed scheme of defence has been drawn up more especially with a view to the direct defence of the harbour of Esquimault; protection is, however, at the same time conferred upon the town of Victoria. When Esquimault has been made into a strong naval base, the danger of attempting a bombardment of Victoria, which would be fruitless of all real military result, becomes so great as to render such a measure highly improbable."

And then comes the part which will especially interest the noble Lord—

"For similar reasons any hostile operations, directed against Burrard's Inlet and Nanaimo, need hardly be anticipated. No naval commander would be likely to risk his vessels in the somewhat intricate navigation and the prevalent fogs which characterize the How Straits, leaving in his rear the strong strategic position of Esquimault, serving as the fortified base of Her Majesty's Pacific Squadron."

With regard to any fortifications by land, that also will receive careful consideration, but not at the present time. There is no necessity at present for strengthening the land fortifications of that part.

House adjourned at a quarter before Seven o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 28th June, 1888.

MINUTES.]—NEW WRIT ISSUED—*For* South Sligo, *v.* Edward Joseph Kennedy, esquire, Chiltern Hundreds.

SUPPLY—*considered in Committee — Resolutions* [June 21] *reported.*

WAYS AND MEANS—*considered in Committee—Resolution* [June 25] *reported.*

PRIVATE BILLS (*by Order*) — *Considered as amended*—Brixton Park.

Third Reading—Vauxhall Park, and *passed.*

PUBLIC BILLS — *Ordered — First Reading* — Consolidated Fund (No. 3)*.

Committee—Local Government (England and Wales) [182] [*Tenth Night*]—R.P.

Third Reading—Consolidated Fund (No. 2), and *passed.*

Withdrawn—Life Leases Conversion [99].

PROVISIONAL ORDER BILLS — *Considered as amended*—Local Government (No. 5) * [265].

Third Reading—Tramways (No. 3) * [243], and *passed.*

PRIVATE BUSINESS.

—o—

VAUXHALL PARK BILL (*by Order*).

THIRD READING.

Order for Third Reading read.

Motion made and Question proposed, "That the Bill be now read the third time."

MR. KELLY (Camberwell, N.), who had a Motion on the Paper to re-commit the Bill in respect of Clause 8, and a new clause, said he would move, if he were in Order, that the consideration of the Bill be postponed until after the discussion upon the Brixton Park Bill.

MR. SHAW LEFEVRE (Bradford, Central) objected to the proposal, on the ground that the hon. Member had stated no reason for postponing the third reading of the Bill until after the Brixton Park Bill had been taken.

MR. SPEAKER said, the House had already consented to postpone the consideration of this Bill and the Brixton Bill until after the other Orders of the Day, and they must now be taken in their regular order.

MR. KELLY said, that, under those circumstances, he did not propose to take any action with regard to the Vauxhall Park Bill.

Question put, and *agreed to.*

Bill read the third time and *passed.*

BRIXTON PARK BILL (*by Order*).

CONSIDERATION.

Order for Consideration read.

Motion made, and Question proposed, "That the Bill, as amended, be now considered."

MR. BROADHURST (Nottingham, W.) said, he rose for the purpose of moving the Amendment which stood in his name, and which was, in fact, to leave out Clause 15, which provided that the question of purchasing the land should be decided by a public meeting of ratepapers held in the Vestry Hall and presided over by the rector of the parish, after the necessary advertisement, unless at least one-fourth of those present should demand another, making requisite the approval of the ratepayers shown by a poll to be taken in the same way as under the Public Libraries Act, and re-insert in a clause which that House agreed to unanimously with the consent of all parties concerned in the matter.

THE CHAIRMAN OF COMMITTEES (Mr. COURTNEY) (Cornwall, Bodmin): No; that is not quite accurate.

MR. BROADHURST said, that his hon. Friend said that that was not quite accurate. He wished to be strictly accurate. The clause to which he wished to refer was agreed to by hon. Gentlemen opposite; at least no objection was taken to it, and there was no Division upon it.

MR. COURTNEY said, that perhaps the hon. Gentleman would allow him to

explain how the matter stood. He said that the clause he proposed to insert was agreed to. That was not the case. A certain proposal had been assented to, and that was embodied in the Bill as it stood.

MR. BROADHURST believed his hon. Friend was technically right; but an Instruction was agreed to on that occasion, and the new clause he had now to propose would carry out that Instruction. The object of the clause was to provide that the question whether the Bill was to be adopted and the purchase of that plot of land assented to, should be submitted to the whole of the ratepayers, and not be decided by the Vestry or by a public meeting. So far as the clause was concerned, which had been inserted by the Committee after the Instruction he had alluded to was agreed to by all parties, he should have to ask the indulgence of the House for a few moments while he explained how the matter stood. He would state, as shortly as he could, the history of the Bill, and the reasons why he opposed it. Now the Bill related to a plot of ground on Brixton Hill, which was owned by a Vestryman, and the son of its owner was also, or had been, a Vestryman. The land was originally purchased for building purposes, no doubt with a view of bringing shop fronts up to the margin of the pavement. That House, in its great wisdom, in the early part of last year defeated a scheme which had for its object the breaking of a law in reference to property in that part of London, and which provided that within a certain distance of a main road no permanent building should be erected. They defeated a Bill which was introduced into that House for the purpose of breaking that law. The owner of the property immediately turned round when he saw there was no hope of the Bill being passed by that House, and got up an agitation for the purchase of the property for a park. It seemed to have been discovered at once, but not until after it became known that there was no prospect of passing the Bill, that this was an admirable place for a park, and an agitation was at once commenced at the instance, he believed, of the owners of the property, in order to induce the Lambeth Vestry to take steps for purchasing these 12½ acres of land for a park site. He wished hon. Members present to notice the fact that there were three acres of this ground which could not possibly be built upon, and which consisted of enclosed gardens, nor could any building be erected upon that ground. Therefore, all the calculations made as to its value were erroneous, because they had been based on the theory that the whole of the 12½ acres were available for building purposes; whereas three acres could not be touched, because they were protected by the Act he had already referred to—namely, the Rush-common Act. What happened after the agitation for the purchase of the property in order to convert it into a public park was this—There was another Vestryman who had a site for sale. He also seemed to have discovered that that part of Lambeth was very much in want of a park site. He (Mr. Broadhurst) had no doubt that Vestrymen who were landowners had very great sympathy for one another, and he had not the least doubt in his own mind that the Vestryman to whom he had referred took a course which best suited his own interests, and, consequently, he was desirous of securing the interests of a friend who was in a similar situation, and that, last of all, he took into consideration the necessities and requirements of the poor ratepayers of the parish. The first step taken in this case was the promotion of a Private Bill. It was presented to that House, promoted and petitioned against; but who were those who petitioned against it? He hoped hon. Members would mark this fact. Among the Petitions presented against the Bill, the chief Petition was one from the man who desired to sell the land. He petitioned the Committee, presumably, against the Bill; but his Petition had been rightly and properly described as a bogus Petition, because it was a Petition presented in order to mislead, and, no doubt, it did mislead, the House, although, happily, it did not deceive, because everything in relation to that particular Petition was discovered. The next step to take was to negotiate with the Metropolitan Board of Works. Now, there was a distinguished gentleman, an architect named Fowler, who represented one of the wards of Lambeth on the Lambeth Vestry, and represented Lambeth Vestry on the Board of Works. In consequence of certain statements, or revelations, which had been made, Mr.

Fowler no longer represented Lambeth on the Vestry, and the Vestry had rejected him as their representative on the Metropolitan Board of Works. Consequently, that connection between the Lambeth Vestry and the Metropolitan Board of Works no longer existed, and another representative had been sent by the Vestry to the Board of Works in the place of Mr. Fowler. He came now to the question of the necessity of acquiring this land for the purposes of a public park, and he wished to point out to the House that although the site was a small one of 12½ acres, about two acres of it were already built upon, and contained houses and gardens which could not be got rid of for some years, because there were 22 or more years lease yet to run. That meant a very small piece of land available for park purposes; and it was a piece of land which lay at right angles back from the main road, so that it presented itself in the form, as it were, of a hole in the wall—there was only one way in and one way out. Now, they were all in favour of open spaces where they were reasonable and required by the public, and where proper arrangements in every shape might be carried out. But as to the requirements of this particular parish—and he spoke as a friend of open spaces—they were far less than the requirements of other parishes. In that instance, the whole of the ratepayers of Lambeth were to be called upon to pay through their rents an exorbitant price for the purchase of this piece of land which was situated at the further end of the parish of Lambeth, where open spaces were least necessary than in any other part of the parish. If this were a space near the Westminster Bridge Road, they would all be at once prepared to support its conversion into a public park on account of the over crowded condition of the neighbourhood. But this neighbourhood was not over crowded. Unfortunately, he had not got the figures with him, but he read them to the House on the last occasion that that Bill was discussed, and he thought he said that there were only from 140 to 150 persons to a square mile. Certainly, that was not a very over crowded neighbourhood. In the next place, Clapham Common was within less than a mile of this very spot, and within one mile and 100 yards in another direction there was Tooting Common. Consequently there were two fine commons within easy walking distance of this wretched little plot of land for which the Vestry sought to extort an exorbitant price out of the pockets of the ratepayers. And what had been the means employed to bring this matter underneath the notice af the ratepayers? All sorts of schemes and plans had been adopted, one of which was the recognition of the Temperance League, who held a large meeting on this site on Whit Monday. Happily for his quietude and peace of mind, he was not at home on that day; but he was told that the temperance demonstration resulted nearly in a riot, and nearly everybody who attended it was exceedingly drunk, and that the whole scene was one of the wildest disorder that could be imagined. It disgusted the whole neighbourhood, and people came to the conclusion that if this piece of land were turned into a public park, it might on any day be employed for a similar purpose. It carried reason on the face of it, and he had no doubt it was drawn by the Committee without knowing much of the depth of cunning which animated the promoters of this scheme. The clause in its beautiful innocence said that—

> "The decision of the ratepayers is to be taken at public meetings assembled to be held at Brixton Hall, Acre Lane, after proper and necessary advertisement had been given, and is to be presided over by the rector of the parish."

At that meeting, a resolution was to be submitted approving of the purchase of the said land, and the question

> "Shall be decided by the majority of the ratepayers present and voting thereat; provided that not less than one-fourth of the ratepayers present, on the show of hands taken for the purpose, shall demand that such question be taken by a poll of the ratepayers, such poll to be taken in the same manner as under the Free Libraries Act."

Perhaps he would be allowed to point out to the House that the promoters of the Bill were persons who had an interest in the sale of this piece of land. He was not saying whether they were actually to reap a profit or not; but they had a large interest in the Bill, which meant that if they were successful, they would obtain a profit of from £22,000 to £23,000. Now, was it to be supposed for a moment that in the hall holding only 600 or 700 ratepayers these persons, having £22,000 or £23,000 at stake,

would not take care that the hall was thoroughly well packed and the meeting primed with the right sort of men to give the necessary vote when the resolution came to be submitted by the rector of the parish, who was to preside as *ex-officio* Chairman of the Vestry of the said parish. There could be no doubt that the hall would be packed and that those present would vote as they had been instructed and induced to vote by every means known to persons of that class. What he asked the House to do, in place of that clause, was to insert a clause which would give the right to the ratepayers of the whole parish to decide whether the park should be purchased or not—that was, that every ratepayer should have a paper left at his house and should vote in precisely the same manner as he would do in the case of the Free Libraries Act, saying "yea" or "nay" to the proposal. Surely, that was a proposal which hon. Gentlemen would agree to. Could anyone say that it was not a fair and reasonable proposal? The Vestry, by a majority of two to one, had decided against the proposal two or three times. An election had since taken place on which there was a considerable expenditure of money, and the result was that that majority had been reduced, but still there was a majority of the members of the Vestry against the Bill. He asked the House to secure to the ratepayers the right of saying whether this Bill should be passed into an Act, or whether it should not. He (Mr. Broadhurst) saw that his hon. Friend who sat for the division in which he lived was at that moment in his place. This plot of land was situated in the centre of the division his hon. Friend represented. He (Mr. Broadhust) did not think that his hon. Friend intended to support the Bill. On the contrary, he thought he was going to vote against it. He had only one other point. The completion of this scheme partly rested with the decision of the Metropolitan Board of Works. As he said earlier, the Metropolitan Board did, through the representative from the Lambeth Vestry, agree, under certain conditions with regard to the purchase, to subscribe £1,000 per acre; but he would ask the House whether it was right that the ratepayers of Lambeth should be left to the mercy of the Metropolitan Board under existing circumstances. Why, the ratepayers of London were at that moment without a municipal government. They had no proper authority on which they could rely or in which they had confidence to protect them against jobbery and outrage. The Metropolitan Board of Works existed in law, but it did not exist in the confidence of the people of the Metropolis. He saw, and he was glad to see, that there were two Members of the Cabinet present. He would ask them and the Government to place themselves between those who were the lambs in this conspiracy and the wolves who were promoting it. He asked them to act as shepherds, because their natural shepherd had disgraced their standard and he trusted would soon be disestablished by law. Never was there a more unreasonable, a more unnecessary, or a more doubtfully promoted scheme submitted to the House of Commons for the so-called benefit of Lambeth than the Bill he was then opposing, and he appealed to hon. Members on both sides of the House to reject it. This was no Party question. There were no politics in it whatever. Some Conservatives were supporting it, and many were opposing it. Some Liberals were supporting it, and many were opposing it. He trusted that the House would protect the ratepayers, and insert the clause which stood on the Paper in his name in place of Clause 15, which he proposed to strike out.

Amendment proposed,

To leave out Clause 15, and insert the following Clause:—"The purchase of the said lands shall not be made until the opinion of the ratepayers of Lambeth has been taken on the desirability of such purchase, by way of a poll of such ratepayers, such poll to be taken in the same manner and with the same incidents as to voting papers, expenses, and otherwise as a poll of ratepayers under 'The Public Libraries Act, 1855,' and the Public Libraries Amendment Act, 1877.' For the purpose of this section the expression 'ratepayer' shall mean every person who will be liable to contribute towards any rate levied for the purpose of any expenditure or contribution by the Vestry under this Act."—(*Mr. Broadhurst.*)

Clause (Approval of ratepayers) *brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time.'

THE MARQUESS OF CARMARTHEN (Lambeth, Brixton) said, the hon. Member for West Nottingham (Mr. Broad-

hurst), in his opening remarks, stated that he intended to give a short history of the Bill. Perhaps the hon. Member would permit him (the Marquess of Carmarthen) to give the House a short history of his action in regard to it. The hon. Member said that he was in favour of open spaces wherever they were needed and wherever they were necessary. But when this Bill came before the House on the first occasion he opposed it on three grounds. Firstly, because he maintained that it was a great piece of jobbery, although he produced absolutely no evidence whatever to make good that assertion in any way; secondly, because he thought the price proposed to be paid for the land was excessive, although evidence was brought before the Committee to show that, in the opinion of Messrs. Debenham and Mason, the eminent firm of auctioneers, the price was a very reasonable one indeed; and, thirdly, because there were houses upon it. The promoters suggested at the time the Bill was brought in that those houses might be kept up, and that arrangement made by which they could be utilized for the purpose of keeping up the park. The hon. Member, however, objected to that proposal, and to meet his objections the promoters withdrew that clause altogether. As the hon. Member very well knew, the houses to which he objected were only to stand until the lease expired, when they were to be pulled down, and there was a clause in the Bill which said that no house was to be re-erected. When these provisions were inserted in the Bill it was thought that they would draw the teeth of the hon. Gentleman's opposition, but it appeared now that his opposition was of a different character. He must confess that the course he had pursued was somewhat remarkable. If there was one scheme which he denounced more strongly than others it was the Vauxhall Park Bill; but where was his opposition now? It had vanished into thin air. His reasons, as he (the Marquess of Carmarthen) had explained, for opposing the Bill were that it was a piece of jobbery, that too great a price was to be paid for it, and that there were buildings upon it. One would certainly have thought that if his opposition was based on such grounds he would have had a word or two to say against the Vauxhall Park Bill, which was to acquire a site of only eight acres, whereas the site for the proposed Brixton Park was 12½ acres. He should certainly offer to the proposal of the hon. Member a strenuous opposition, because he regarded it as absolutely unnecessary. Certain Instructions were given by that House to the Committee on the last occasion that the Bill was under discussion, and the Committee, with those Instructions before them, inserted the clause which now stood in the Bill, which gave the ratepayers full control over the purchase of this piece of land. If the ratepayers were strongly opposed to the Bill, it was no great hardship to ask them to attend a public meeting and declare their views. The hon. Member said that Brixton Hall was only capable of holding 600 or 700 people. Perhaps his (the Marquess of Carmarthen's) experience was greater than that of the hon. Member. He was sure he had seen more than twice the number mentioned by the hon. Member assembled in that hall. [Mr. BROADHURST: Nothing of the kind.] For those reasons he wished to oppose the clause which had been submitted by the hon. Member. He considered it nothing more nor less than a direct attempt to wreck the Bill, and it was thoroughly characterized by the hon. Member's action throughout. The hon. Member never liked the Bill, but he never cared to get up in his place in that House and say so. He should undoubtedly divide against the Amendment, because he would be no party to saddling the ratepayers of the parish with the expense of opposing the Bill. He saw that the hon. Member was making signs to his hon. Friend the Member for the Norwood Division of Lambeth (Mr. Bristowe), who was sitting on that side of the House, with a view of inducing him to get up in his place in opposition to him. He was afraid that his hon. Friend, whose constituency the future park was to serve, would have nothing to do with it. He feared that he was much more interested in another scheme which was not quite in so forward a stage. Nevertheless, his name appeared upon the back of the Bill. He sincerely trusted that the House would support him in opposing the clause.

MR. BRISTOWE (Lambeth, Norwood) said, his noble Friend (the Mar-

quess of Carmarthen) had said that his (Mr. Bristowe's) name was on the back of the Bill. That was quite true, but he put his name on the Bill because he considered it his duty to do so, seeing that he represented the division in which the proposed park was situated. He was certainly not prepared to back up every word that had been stated by his hon. Friend opposite (Mr. Broadhurst) with reference to this part of Brixton in the division of Norwood not being in want of open spaces. He believed that open spaces were highly advantageous to all parts of London, and he was very much in favour of them. He was certainly not aware of the unseemly meeting which the hon. Member said took place on this piece of ground on Whit Monday. At the same time, he should go into the Lobby with his hon. Friend for this reason, and this reason only—that there was a strong feeling in the parish of Lambeth in regard to this question of the purchase of the park. He, therefore, did not think that any arrangement should be entered into, except with the consent of the ratepayers generally. On the 30th of April a Petition was presented to that House in reference to the Vauxhall Park Bill, which ran on all fours with that scheme from the Lambeth Vestry, asking that the matter should be decided by the ratepayers. Since then there had been another election, and nothing had taken place to alter the decision of the Vestry with regard to that Bill. The question, therefore, should be left to be settled by the ratepayers themselves. Now, he considered that what had taken place with regard to the Vauxhall Park Bill applied also to Brixton, where the feeling undoubtedly ran high. At the last meeting of the Board, on the 14th of June, several divisions upon this question took place, and the voting was in one case 49 to 48, in another 53 to 52, and in a third 51 to 50. Therefore, although he was in favour of open spaces, and his hon. Friend was perfectly aware of that, seeing that the feeling of the parish ran so high, and taking into consideration that the Vestry did not wish to have this power thrown on them, but desired that it should be placed in the hands of the ratepayers, he supported the Amendment moved by his hon. Friend opposite. Perhaps he might have a little more respect for the Vestry than his hon. Friend had. At all events, they were the representative Body of the parish of Lambeth, and he considered that he was only acting in accordance with their wishes and what he believed to be the feelings of the ratepayers of the parish, if he went into the Lobby with his hon. Friend, with a view of throwing the responsibility of the purchase upon the ratepayers.

MR. COURTNEY said, he wished to make the House acquainted with the exact point which was to be considered. His hon. Friend the Member for West Nottingham (Mr. Broadhurst) had posed before the House as a lamb. Now, in the days of Mr. Bernal Osborne, the House used to hear about the Nottingham lambs, but they were always supposed to be able to take care of themselves. He had no doubt that his hon. Friend, one of the present Members for the borough, was quite able to take care of himself. Whatever amount of accuracy there might be in the allegation that the price to be paid for the park was excessive, or that the feeling in Lambeth was against the purchase, none of these questions were involved in the issue before the House. His hon. Friend made many objections to the second reading of the Bill, and he would make similar objections now. The Bill, however, was read a second time, and no step was ever taken to bring before the Committee to whom the Bill was referred, the allegations which were made on the second reading by the hon. Member. Surely, that House was not a proper tribunal for inquiring into the accuracy of the statements of the hon. Member. The issue before the House was simply this—The Bill had been read a second time, referred to a Committee, and in accordance with a Resolution and Instruction passed by the House, the Committee put into the Bill a provision to enable the votes of the ratepayers, if necessary, to be taken, and the only question now was, in which of two ways should the opinion of the ratepayers be taken upon the question of the purchase. The question of the propriety of the purchase itself was not raised; but the question which was raised was, what guarantee they could have that the ratepayers of Lambeth were in favour of the purchase. In the absence of any opposition, the Committee, before whom the Bill went

as an unopposed measure, endeavoured to carry out the desire of the House, and provided that the scheme should not be carried out unless the resolution, which must first of all be taken by the Vestry, was brought before a public meeting of the ratepayers. If such public meeting of the ratepayers decided in favour of the purchase, even then the thing was not complete, if one-fourth of those present demanded a poll. But if the opposition at a public meeting did not amount to one-fourth, then the decision of the public meeting would be held sufficient to ratify the decision of the Vestry. His hon. Friend, on the other hand, wished to have the whole parish put to the expense of a poll, even, though, at a public meeting, especially convened for the purpose, there should not be one-fourth of those present objecting to the scheme. It must also be remembered that this was a very large parish extending from beyond Brixton down to Westminster Bridge. Now, he confessed, that it was a serious matter to go beyond the representative authority of the parish at all, and many Members objected to it on principle; but inasmuch as the House decided that there should be a reference beyond the Vestry, the Committee put in a clause embodying a reference first to a public meeting and then to the ratepayers at large. His hon. Friend insisted that the proper course was to appeal to the ratepapers, even, although, more than three-fourths of those present at the public meeting were in favour of the scheme. Now, if it be true that at that moment the Vestry itself was opposed to the Bill, was it conceivable that the promoters of the scheme would succeed in getting a public meeting, presided over by the rector of the parish, so packed that the opponents of the Bill would not be able to number one-fourth of those present. He certainly thought that they would expose the ratepayers of Lambeth, or any other parish, to very great hardship if they were to insist upon saddling them with the expense of a poll taken for so large a parish, when the Vestry were opposed to the scheme and a public meeting was to be called for an express purpose of giving a decision by a majority of three to one. That was the whole point. If a public meeting decided by three to one, then the matter was complete. He did not think they ought to put the parish to the expense of a poll in opposition to the wishes of three-fourths of the ratepayers assembled at a public meeting. He confessed that that was not a reasonable proposition, and he asked the House to reject it.

Mr. CONYBEARE (Cornwall, Camborne) asked, might he point out, in answer to the hon. Member who had just spoken (Mr. Courtney), that he had a considerable natural distrust of the operation of these public meetings. In this case, the ratepayers of Lambeth were threatened to be saddled with an enormous burden of taxation for the purchase of that park, and it was alleged that the sum to be paid for the land was greatly in excess of what it ought to be. He should certainly be disinclined to accept the opinion expressed at a public meeting as the ultimate decision of a parish, because it was perfectly well known that that test had been applied in other cases, and had been found wanting. He thought it would be far better in this case to adopt the course which was pursued in connection with another important matter —namely, the establishment of free libraries. In that case, if there was a difference of opinion, it was competent for a small minority to force a ballot upon the parish, and have a poll taken for the purpose of ascertaining what were the wishes of the ratepayers. It appeared to him, therefore, that the hon. Member for West Nottingham was strictly following a precedent which had been long accepted by the House and the country, in asking that a similar method of ascertaining the wishes of the ratepayers should be adopted on that occasion. He was not, for the moment, going to suggest that any public meeting which might be held on that occasion would be packed or otherwise, but it was a matter of general experience that meetings of that kind had proved very unsatisfactory. Many people were not able to attend them, and many who did attend were unable to give a satisfactory expression to their views. He thought it was worthy of the consideration of the House whether, in view of the County Council which was proposed to be established for the Metropolitan area, and the municipal duties which were about to be conferred upon the

Metropolis, it would not be wise and beneficial to the people of Brixton to allow this important question to be decided by that newly constituted authority when it was called into existence, rather than have it thrust on them at the hands of a moribund authority which was certainly not a representative authority. It must be fully borne in mind that if that park was purchased, the burden of taxation in the parish would be greatly increased. He thought the principle he suggested had invariably been acted upon in connection with Acts of Parliament passed by that House, and he trusted that it would be adopted here. He was sure that it was a suggestion worthy of consideration.

MR. SHAW LEFEVRE said, he was sorry to find himself in conflict with his hon. Friend the Member for West Nottingham. He fully recognized his efforts in reference to the open spaces, and he regretted, therefore, on the present occasion, to find that he could not concur with the views he had expressed. But in all these cases he was opposed to a reference to the ratepayers. As, however, the House gave an Instruction to that effect to the Committee, he had not objected. In the case of Vauxhall Park, if he had been present, he should certainly have opposed the provision which was inserted in the Bill to that effect; but he had not thought it right to propose that the Bill should be altogether rejected on the third reading. He thought that the course suggested by the Chairman of Committees would, to a great extent, remedy the evils which had been pointed out; and he thought that, on the whole, the House would act wisely in agreeing to the clause as it stood in the Bill, and in not adopting that which his hon. Friend proposed to substitute. His only object in rising then was to protest against the insertion in future of clauses of the kind.

Question put.

The House *divided:*—Ayes 94; Noes 172: Majority 78.—(Div. List, No. 179.)

Bill to be read the third time.

QUESTIONS.

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LAND ACT, 1881, SEC. 19— LABOURERS' DWELLINGS—APPLICATIONS.

SIR CHARLES LEWIS (Antrim, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is in a position to state the number of applications to fix, under the Land Act of 1881, in which the Land Commissioners have made an order under the 19th section of the Act for the erection of labourers' dwellings, the number of cases in which such orders have been complied with, and the number of cases in which steps have been taken to enforce such orders?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me that the number of orders referred to is 820, together with one made under Section 3 of the Labourers' Cottages and Allotments Act, 1882. The duty of securing compliance with such order is attached by Statute to the Sanitary Authority of the district concerned; and I find that in order to reply to the concluding portion of the Question it would be requisite to call for Reports from the clerks of each of the Unions in which orders have been made, which would necessarily take some time. If my hon. Friend thinks it necessary I will make further inquiry.

SIR CHARLES LEWIS gave Notice of a further Question on Monday.

ADMIRALTY—THE CHANNEL FLEET —BELFAST LOUGH—ANCHORAGE IN BANGOR BAY.

CAPTAIN M'CALMONT (Antrim, E.) asked the First Lord of the Admiralty, Why, on the occasion of the recent visit of the Channel Fleet to Belfast Lough, Her Majesty's ships anchored in Bangor Bay instead of the usual man-of-war roads, midway between Bangor and Carrickfergus; whether the anchorage at the roadstead is much superior to that in Bangor Bay; whether the contracts are held in, and the mails sent to and from, Carrickfergus, which necessitated the ships' boats having constantly to cross the Lough; and, whether orders will be given for Her Majesty's ships in the future to adhere to the man-of-war roads?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD) (Lancashire, Ormskirk): Perhaps my hon. and gallant Friend will allow me to answer the Question on behalf of the First Lord. The Admiral commanding the Channel Squadron was ordered to visit Belfast

Lough in the course of his cruise, but no restriction was placed on his selection of the anchorage which he considered most convenient. With certain winds the Bangor anchorage is stated to be preferable, and communication with the shore is easier. The Admiralty have no contracts for the delivery of the mails to the Fleet in Home Waters, which is conducted by the ordinary Packet Service of the country. As the Admiral is responsible for the safe conduct of the Fleet, it is not desirable to fetter his discretion in the selection of the place of anchorage for his Squadron, and it is not proposed to issue any orders to that effect. No part of Belfast Lough has been set apart for a man-of-war anchorage, as the Question implies.

WAR OFFICE—5TH BATTALION ROYAL FUSILIERS—MAJOR ROE.

MR. DIXON-HARTLAND (Middlesex, Uxbridge) asked the Secretary of State for War, Whether, assuming that Major Roe is not able to do the duties in the 5th Battalion Royal Fusiliers which he has actually performed for three years, it is a fact that the remaining seven captains are so inefficient that none of them are fit for promotion, although the drill and discipline of the battalion has been reported to be in the highest state of efficiency up to the date of the honourable Charles Edgcumbe's resignation of the command in 1887; and, whether officers of the Militia are to understand that a certificate from a School of Instruction is not *ipso facto* official proof of military competency?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I do not think it is desirable that through the medium of Question and Answer a discussion should be carried on as to the relative merits of officers of the Army. I may, however, inform my hon. Friend that two of the captains referred to are not recommended for promotion; and that the remaining five have not yet passed the prescribed examination. The answer to the second part of the Question is given by paragraph 42, Militia Regulations, 1886, which lays down that—

"It is extremely desirable that officers should attend a School of Instruction to learn their duty thoroughly; but the possession of a certificate from a School of Instruction will give no claim to promotion, irrespective of other qualifications which are necessary for superior rank."

PHARMACY BILL — ACCIDENTAL POISONING AT LEWISHAM.

DR. FARQUHARSON (Aberdeenshire, W.) (for Sir HENRY ROSCOE) (Manchester, S.) asked the Vice-President of the Committee of Council on Education, Whether the statement reported to have been made at an inquest held at Lewisham on June 20, that the son of a chemist and druggist had dispensed eight grains of strychnine in one dose of medicine instead of 1-24th part of a grain, is correct; whether the statements that the son of the chemist was often left in charge of his father's branch shop, and that he passed his examination when he was 15 years of age, are also correct; and, whether, in view of such an alarming accident, the Government will give facilities for the consideration of the Pharmacy Bill now before the House, which is intended to provide against such accidents by requiring all managers of branch shops to be qualified and registered?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE (Kent, Dartford): I have no reason to doubt the accuracy of the statements recited in the Question. Speaking for the Government, I should be glad if the Bill to which the hon. Member refers could be proceeded with; but in the present state of Public Business, I cannot undertake to afford it any special facilities.

POOR LAW (IRELAND)—CORK BOARD OF GUARDIANS—CASE OF WILLIAM ROBINSON.

MR. MAURICE HEALY (Cork) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the Resolution passed on the 7th instant by the Cork Board of Guardians with reference to the case of William Robinson; whether it is the fact that this man, aged 58, was removed from the Croydon Union to Cork, his place of birth, notwithstanding that he had gone to reside in England when three years old; whether the Guardians are correct in the complaint they make, that, while English Unions possess the power of deporting paupers who have not obtained a settlement to their place of

birth, no corresponding power is possessed by Irish Unions; whether he is aware that the ratepayers of the Cork Union suffer in an especial manner from this state of things, owing to the fact that many strangers, stowaways, and others are landed from vessels touching at Queenstown; and, whether he proposes to amend the Law, so as to put English and Irish Unions on an equality in the matter in question?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The reply to the inquiries in the first three paragraphs is in the affirmative. Complaints have been made by the Board of Guardians of Cork Union to the effect indicated in the fourth paragraph. The consideration of legislation on the subject is, in the present state of Public Business, quite impracticable.

MR. MAURICE HEALY asked, did not the right hon. Gentleman think the matter deserved consideration?

MR. A. J. BALFOUR admitted that it did deserve consideration; but he could make no promise of legislation on the subject.

INDIA—THE SIKKIM EXPEDITION—MILITARY OPERATIONS—DEATHS OF COLONEL BATTYE AND CAPTAIN URMSTON.

SIR EDWARD WATKIN (Hythe) asked the Under Secretary of State for India, Whether the following statement in *The Globe* of Saturday last is correct—namely:—

"Colonel Battye and Captain Urmston were attacked by Gujars and Akazais while out with 58 Goorkhas and 19 police for an exercise march on the Black Mountain. The troops were a portion of the force of 300 Goorkhas holding Oghi, the outpost which Colonel Battye commanded. They were within our border when fired on near the crest of the Black Mountain. Colonel Battye and Captain Urmston were shot while succouring a wounded Havildar. The bodies of the two officers were taken to Abbotabad, and buried there on Wednesday with military honours. The Punjab Government desired to punish the Akazais for their misconduct last spring by an Expedition, but the Government of India negatived the proposal. The tribe was placed under blockade, and the outpost at Oghi was strengthened to guard against surprise; 250 more men have now been sent down there, and a squadron of Guides. Cavalry will also probably be sent. Besides the two British officers, six Goorkha sepoys were killed, and one Havildar wounded;"

and, especially, whether it is true that, while the Punjaub Government recommended a course which would have prevented the loss of two eminent officers, the Indian Government refused to allow that course to be adopted?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The Secretary of State has received official information of the unhappy loss of two valuable and distinguished officers—Colonel Battye and Captain Urmston—under circumstances which have been described with substantial accuracy in the public Press. He has no official information of any proposal of the Punjab Government to direct an Expedition against the Akazais last spring. Such an Expedition might, no doubt, have cost many lives. In the last Expeditions against the Black Mountain Tribes, in 1868, there were 17 killed and 80 wounded. The Secretary of State has no reason to think that the troops attacked were outside the British Frontier.

THE PARKS (METROPOLIS) — RICHMOND PARK—THE PROPOSED VOLUNTEER CAMP.

MR. KIMBER (Wandsworth) asked the First Commissioner of Works, Whether, before the Government arrive at any conclusion to grant the use of Richmond Park for a Volunteer Camp, an opportunity will be given for the inhabitants of the adjoining parishes of Putney and Roehampton, and other parishes in the borough of Wandsworth, containing 75,000 inhabitants, to consider any proposals which may be in contemplation, and to express their opinions thereon?

THE FIRST COMMISSIONER (Mr. PLUNKET) (Dublin University): The proposals made by the National Rifle Association, with a view to obtaining a site for their annual shooting competition in Richmond Park, were conveyed to me on the 14th of June, but no final decision has yet been taken by the Government on the subject; and any consideration which may be urged within a reasonable time for or against those proposals, either by the inhabitants of the neighbourhood of Richmond or from any other quarter, will be carefully considered.

MR. KIMBER: What does the right hon. Gentleman consider a reasonable time?

MR. PLUNKET: I suppose about a fortnight or three weeks.

MAJOR RASCH (Essex, S.E.) wished to ask the First Lord of the Treasury, whether the Government had taken any steps to have a survey and inspection made of other sites suitable for the Volunteers in South-East Essex.

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The hon. and gallant Gentleman must see that it is quite impossible for me to answer a Question of this kind without Notice.

THE CIVIL SERVICE—REGISTRATION OF RETIRED CIVIL SERVANTS.

MR. KIMBER (Wandsworth) asked Mr. Chancellor of the Exchequer, Whether any Register of Retired Civil Servants fit for service, with a view to re-employment in other branches, has yet been established by the Government pursuant to expectations held out by him on July 26 last in this House; and, if so, where, and whether it is open for inspection; and, if not established, has the scheme yet been laid before, or received the assent of, the Treasury, as was then suggested would be necessary?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I found that the form of such a Register existed under the title of "Civil Pensioners under 50 years of age available for further service." No further scheme or assent of the Treasury was necessary, and I am giving directions to have the Register made up to date; but the Register would not be open to individual inspection. I shall have no objection, however, to a Return being moved for giving the full particulars.

POOR LAW (IRELAND) — KILKENNY DISPENSARY DISTRICT.

MR. MARUM (Kilkenny, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been directed to the matter of the vacant Registrarship of Births and Deaths in the No. 1 (sub-divided) Dispensary District of the Poor Law Union of Kilkenny; whether, a vacancy in such Office having occurred in the month of November last, the Guardians, in pursuance of the directions of the Registrar General, proceeded to make an appointment therein within the statutable period of 14 days; that two candidates presented themselves, duly qualified; that one of them, Dr. Hackett, claimed a "preference," pursuant to the Statute (26 *Vict.* c. 11, s. 23); that the Guardians, having given consideration to this preference, nevertheless, in the lawful exercise of their discretion in the matter, made their selection, and appointed the other candidate, Mr. Carroll, as Registrar, and did then call upon, and have since repeatedly urged, the Registrar General to sanction such appointment; whether, upon the occasion of the previous vacancy in this Office, the same claim of preference having been made by the same medical officer, under precisely similar circumstances, the Registrar General sanctioned the appointment of one Mr. Lalor; and, whether, in view of the public interest, he will call upon the Registrar General to ratify this exercise of the lawful patronage of the Guardians of the Union?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, the Registrar General reported that the facts as stated in the Question were substantially accurate. The difference between the cases in question arose from the fact that legal proceedings were instituted in the latter case, and not in the former. The Registrar General had found it necessary to take legal advice in the matter, and the question was now before the Attorney General for Ireland.

IRISH LAND COMMISSION — FAIR RENT APPLICATIONS, BALLYCASTLE UNION.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can now state how many fair rent applications from the Union of Ballycastle were heard by the Sub-Commission sitting in County Antrim in July last; whether he can mention how many of the applications then listed for hearing were adjourned; whether he is aware that a number of the applications entered from this Union in the year 1885 still remain undisposed of; and, whether it is the intention of the Land Commission, as was stated, to move to County Antrim in July next the Commission now sitting in County Down?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me that 35 applications from Ballycastle Union to fix fair rents appeared in the Sub-Commission list for July, 1887. They were all disposed of at that sitting. No applications received in 1885 from that Union remain undisposed of. The oldest outstanding fair rent case was received in June, 1887. The Commissioners find it necessary, having regard to the claims of the County Fermanagh, to move the Sub-Commission sitting in the County of Down to the County Fermanagh for the month of July next.

MR. M'CARTAN asked the right hon. Gentleman, whether it was not a fact that about 3,000 or 4,000 applications by tenants to have fair rents fixed were still remaining unheard in the County Down, and also when a Sub-Commission would next sit there?

MR. A. J. BALFOUR said, he was afraid he could not give the hon. Gentleman a more specific answer than he had already given as to the time a Sub-Commission would sit.

MR. MAURICE HEALY (Cork) asked, if the right hon. Gentleman would say whether all the Sub-Commissioners whose appointment had been approved of by the Treasury were actually working?

MR. A. J. BALFOUR said, that he could give no answer; but the hon. Gentleman knew that he had a plan at present before Parliament for dealing with the existing block in the Land Court.

MR. W. REDMOND (Fermanagh, N.), speaking on behalf of the tenants in Fermanagh, asked, would the Government take any steps to deal with the great number of applications that still remained unheard in that county?

MR. A. J. BALFOUR said, he proposed to take steps to deal with the arrears in the Land Courts by a plan which was embodied in a Bill now before the House.

MR. MAURICE HEALY: When is that Bill likely to come on?

MR. A. J. BALFOUR: That is a Question which I think should be addressed to the Leader of the House. As far as I am concerned, I am extremely anxious to push the Bill forward.

MR. W. REDMOND: Might I ask the Leader of the House, what steps the Government intend to take with regard to the Land Law (Ireland) (Land Commission) Bill; and if it is not the intention of the Government to take that Bill soon, will the Government take some temporary steps for relieving the block?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster): I do not know, Sir, whether I am quite in Order in answering the Question now; but if I am, I may say that it is the intention of the Government to make the Land Law (Ireland) (Land Commission) Bill one of the first measures after the Committee on the Local Government Bill. I trust the House will not think it necessary to prolong the discussion on the Bill, seeing that it would interfere with the progress of other important Business.

MR. MAURICE HEALY: May I ask the Chief Secretary, whether he is aware that the effect of postponing the Land Law (Ireland) (Land Commission) Bill until after the Local Government Bill will be that no effective steps can be taken to bring the Land Law (Ireland) (Land Commission) Bill, when it passes, into actual operation until the month of November next?

MR. A. J. BALFOUR: Well, Sir, I do not know that that is the case; but I should remind the hon. Gentleman that the decisions of the Land Court are retrospective, and date from the time that the application is made.

MR. M'CARTAN: Is it not the fact that, in the meantime, tenants are obliged to pay the old rents?

MR. A. J. BALFOUR: I am not aware of a single case in which a landlord whose tenants have gone into Court has tried to extract the old rent.

MR. M'CARTAN: I know of hundreds of cases.

MR. A. J. BALFOUR: I should be very glad if the hon. Member would furnish me with any of them.

IRISH LAND COMMISSION—SUB-COMMISSION—SITTINGS IN KEADY.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that no arrangement has yet been made to hold a sitting of a Sub-Commission in Keady, which it was promised would be held in June; whether about 200 applications to have fair rents fixed in

the district of Keady remain unheard; whether he is aware that in a number of these cases eviction notices have been served by the landlords on the applicants; and, if he can state on what date a Sub-Commission will sit at Keady, and the names of the persons who will constitute the Sub-Commission?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me that in March last they hoped to be in a position to have a Sub-Commission at Keady in June; but the cases in the County of Down were very important, and it was found more to the public advantage to continue the Sub-Commission in that county. There are about 190 applications to fix fair rents undisposed of from the Keady District. The Land Commissioners cannot yet state when the next Sub-Commission will sit at Keady, or the names of the persons who will constitute the Sub-Commission.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, whether in view of the positive promise made in March last by the Chief Secretary that a Sub-Commission would sit at Keady in the month of June, he would take steps to see that a Court would immediately sit there, especially as numbers of unfortunate people were threatened with eviction?

MR. A. J. BALFOUR said, it was not in his power to determine when a Sub-Commission should sit, nor did he ever give a promise that one would sit at Keady in June. He said that the Commission intended to have a sitting at that place at that time.

IRISH LAND COMMISSIONERS—SUB-COMMISSIONERS FOR WESTMEATH.

MR. TUITE (Westmeath, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can now state the date on which the Sub-Commissioners will hold their next sitting for the County of Westmeath, and the names of the gentlemen who will constitute the Commission; and, whether, having regard to the large number of fair rent applications remaining undisposed of, an early date will be fixed?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me that a Sub-Commission sat in the County Westmeath so recently as February and March last. Having regard to the claims of other counties, they are not at present in a position to state when the next sitting will be held.

MR. TUITE asked, had not the right hon. Gentleman given a promise that a Sub-Commission would sit in Westmeath at the end of June?

MR. A. J. BALFOUR said, he had given no promise.

IRISH LAND COMMISSION—APPEALS LISTED AT BELFAST.

MR. T. M. HEALY (Longford, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that of the 100 appeals listed for hearing by the Land Commission at Belfast on July 2 next, 75 are from the Union of Magherafelt, County Derry; whether he is aware that Magherafelt is a Quarter Sessions town, and has a commodious Court-house; and, whether, under the circumstances, he will advise a sitting at Magherafelt, and save the tenants and their witnesses from the long and expensive journey to Belfast?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me that there are 37 cases only from the Magherafelt Union to be re-heard at Belfast at the approaching sitting, the other cases listed from that Union having been either settled or withdrawn. The cases from Magherafelt Union are listed for hearing at Belfast, as that town is of more easy access than Londonderry, the county town where, under other circumstances, the cases would naturally be heard. In arranging the places where appeals and re-hearings shall be heard, the Commissioners have endeavoured to meet, as far as possible, the convenience of suitors. They cannot undertake to alter their existing arrangements.

MR. MAURICE HEALY (Cork) asked, if there was any reason why these three gentlemen who constituted the Sub-Commission should not hold a sitting at Magherafelt, having regard to the fact that, on the one hand, only the three of them would have to journey to Magherafelt; while, on the other hand, the whole number of applicants in Magherafelt would have to travel to Belfast?

MR. A. J. BALFOUR said, he could not answer without Notice Questions relating to the arrangements of the Land Commissioners.

LAW AND JUSTICE (IRELAND) — ALLEGED INSURANCE FRAUDS AT BELFAST.

MR. TUITE (Westmeath, N.) asked Mr. Solicitor General for Ireland, with reference to the assurance frauds at Belfast, Whether he can now state what steps have been taken to bring to justice the parties responsible for the issue of the policy on the life of Finlay M'Cance, esquire, J.P., which was obtained in favour of Mr. James Henderson, proprietor of *The Belfast News Letter*, by means of misrepresentation, and by the forgery of the name of Mr. M'Cance; whether he can state if the proposal on the life of Mr. M'Cance was admittedly signed by Mr. Henderson; whether this proposal contained several gross misrepresentations, which induced the issue of the policy by the Company; and whether the name of Mr. Henderson, who obtained the policy was sent forward to the Attorney General with the names of others now on their trial, charged, among other things, with having attempted to obtain policies which were not issued; and, whether the Government intend to take any further proceedings in this matter?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): As I have already stated to the hon. Member in reply to previous Questions, I must refuse to answer any Questions relating to the particular facts of this case to which he has referred, pending the proceedings which are now going on.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) begged to give Notice that at the earliest opportunity he should call attention to the fact that the Government instituted proceedings against certain persons charged with making fraudulent applications for insurance policies, while they had refrained from instituting a criminal prosecution against the proprietor of *The Belfast News Letter*, who was charged with having actually obtained a fraudulent policy, and would move—

"That, in the interests of public justice, it was not desirable that the Government should refrain from proceeding with a public investigation into a criminal charge when the person charged was the publisher of a newspaper in their interest."

PARLIAMENTARY FRANCHISE (IRELAND) — DISQUALIFICATION OF VOTERS BY MEDICAL RELIEF.

SIR THOMAS ESMONDE (Dublin Co., S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If voters who receive medical relief on a doctor's order through a relieving officer are disfranchised?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I can hardly undertake to give an abstract opinion of law; but if the hon. Member will mention any particular case, I shall inquire into it.

PARLIAMENTARY FRANCHISE (IRELAND)—SOUTH-WEST DIVISION OF DUBLIN—REVISION COURTS.

SIR THOMAS ESMONDE (Dublin Co., S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that it is the desire of the residents of south-west Dublin to have Revision Courts established at each polling place in the Division; and, if he will use his influence to give effect to their wishes?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): None of the persons concerned appear to have made any representations to the Irish Government on the subject; nor, so far as I can ascertain, is there any necessity for such additional Courts.

ROYAL IRISH CONSTABULARY — CONSTABLE CURRY.

SIR THOMAS ESMONDE (Dublin Co., S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, To state the reason why the honourable Recorder of Dublin, in the action of "Smyth *v.* Madden and Curry," heard at the Quarter Sessions, Kingstown, on April 15, 1887, gave Constable Curry a "special certificate," "exonerating" him from "from all blame;" why, and when, did the Recorder direct the amount of the verdict obtained for the plaintiff to be paid to the jury; and, did the Superintendent of Curry's Division, who was present during the trial, make a Report to the Commissioner of Police, as to the nature of the evidence; if so, was it sent forward, with the cer-

tificate given by the Recorder, to the Attorney General, who sanctioned the payment of the verdict and costs out of the public funds?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, he was unable to state what the Judge's reasons were in the matter, nor had he the right or the desire to inquire into them. The Superintendent's Report was submitted to the Attorney General.

CUSTOMS AND INLAND REVENUE ACT, 1888—REMISSION OF PENALTIES.

MR. WHITLEY (Liverpool, Everton) asked Mr. Chancellor of the Exchequer, Whether he would be prepared to instruct the Board of Inland Revenue to remit the penalties payable on stamping instruments executed prior to the passing of the Customs and Inland Revenue Act of 1888, which are presented to them for the purpose at any time before the 1st of January next?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): The question has been fully considered; and the penalties payable on stamping instruments executed prior to the passing of the Customs and Inland Revenue Act of 1888 will be remitted, subject to certain conditions, which will be laid down in a Memorandum which will be issued to solicitors and others by the Board of Inland Revenue.

EVICTIONS (IRELAND)—EVICTION OF HUGH BOGUE—ALLEGED HARSHNESS.

MR. W. REDMOND (Fermanagh, N.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will order an inquiry to be held into the conduct of the Sub-Sheriff in evicting Hugh Bogue when he was in a dying condition; whether the attention of the Government has been called to the statement of Father M'Kenna, P.P., of Clogher, that he publicly protested at the eviction that the man was absolutely dying when carried out; and, whether, in view of these facts, the Government intend to take any steps to prevent the forces of Her Majesty being used to evict under such circumstances?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The District Inspector who was in charge of the Constabulary reports that the facts are as stated. Father M'Kenna arrived after the formalities of the eviction had been completed, and Bogue was being placed in a cart. He appears to have said that it was a hard case, and that a medical certificate ought to have been procured; but this was after the eviction was over. The tenant had paid no rent for five years; in fact, from the period that his fair rent was originally determined.

MR. W. REDMOND: I beg to give Notice that on the Constabulary Vote I will call attention to the indefensible use of the Constabulary in Ireland for the purpose of evicting people.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): May I ask the right hon. Gentleman, whether a Sheriff in Ireland had power by law to postpone an eviction when it appears that the lives of the persons to be evicted are in danger; and, whether the police in such a case have instructions to refrain from carrying out such evictions?

[No reply.]

MR. MAC NEILL (Donegal, S.): I wish to ask——

MR. SPEAKER: Order, order!

SOUTH AFRICA—ZULULAND.

MR. W. REDMOND (Fermanagh, N.) asked the Under Secretary of State for the Colonies, Whether he will explain the nature of the recent troubles in Zululand; and, whether Her Majesty's Government will refrain from any action in South Africa likely to lead to a war with any of the Native Tribes?

THE UNDER SECRETARY OF STATE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The recent troubles have been caused by Dinizulu, the son of Cetewayo, who has, without justification, attacked other Chiefs in Zululand and Government police stations. Her Majesty's Government have at no time relaxed their efforts to carry out the policy best calculated to prevent the recurrence of war with Native Tribes, and have no reason to think that that policy has failed.

SOUTH AFRICA—ZULULAND.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale) asked the Under

Secretary of State for the Colonies, Whether he can give the House any further information as to the state of affairs in Zululand?

THE UNDER SECRETARY OF STATE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): The following telegram was received on Tuesday from the Governor of Natal, in reply to an inquiry from the Secretary of State:—

"Your telegram of yesterday. Usibepu and followers were attacked and defeated by Usutus near Ivuna, 23rd June. It has consequently been found advisable to withdraw police office at Ivuna, which was attacked at the same time. Usibepu took refuge with police. No casualties among police. Force sent from Nkon-jeni safely returned yesterday; brought back all from Ivuna, including Usibepu and families, women, and wounded of his tribe. Have just conferred with Lieutenant General, Cape of Good Hope, as to sufficient number for force. He reserves opinion until arrival in Zululand, whither he proceeds to-morrow."

It will be seen from this telegram that Lieutenant General Smyth has proceeded to Zululand, and will be able to judge of the position, and whether any additional forces will be required; but a day or two may probably elapse before any further communication is received.

DR. CLARK (Caithness) asked, whether it was not the case that Dinizulu was merely re-capturing cattle that had been stolen from him by Usibepu; and whether the land had not been in the possession of Dinizulu for several years; and, whether Usibepu, since he was sent there, had begun cattle raiding, as he had done before? He further wished to ask, whether other native allies were being used in this manner; and whether the Government would take care that this did not happen again?

MR. SPEAKER: Order, order! The Question was to ask the Under Secretary whether he had any information. The Questions must be given Notice of in the usual way.

MR. W. REDMOND (Fermanagh, N.) asked, whether the Government had given General Smyth, who would proceed in a short time to Zululand, any particular instructions with regard to the disposition of the force there?

BARON HENRY DE WORMS: I do not think that it would be in the interest of the Public Service that I should give information to the House.

MR. W. REDMOND: I beg to give Notice that on the Estimates I will call attention to the action of the Government, which is certainly leading up to another war in Zululand.

DR. CLARK rose to put another Question.

MR. SPEAKER: Order, order!

DR. CLARK: I want to——

MR. SPEAKER: Order, order!

LAW AND POLICE (IRELAND)—REFUSAL OF REFRESHMENT TO TRAVELLERS—CASE OF MR. NOUD, OF ROSCOMMON.

DR. COMMINS (Roscommon, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, on Saturday the 24th instant, Mr. Michael Noud, T.C., of Roscommon, having driven from there to Boyle, a distance of 20 miles, upon important business, on arriving there at 1.30 p.m. and calling at the only hotel in the town, Monson's Hotel, was refused admission or refreshment for himself or his horse by order of the police, who told the hotel owner to "admit no outsiders;" whether Mr. Noud again applied at 4.30 p.m., and was again refused for the same reason, and was obliged to drive to Elphin, a distance of nine miles, before he could get anything to eat or drink; whether Noud's son and two others who were in his company were treated in the same way, although they, as well as Mr. Noud, claimed and were entitled to be served as *bonâ fide* travellers, and were ready and willing to pay for what they required; and, if the facts stated are found correct, what steps the Government propose to take in the matter?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The local Constabulary authorities report that on Sunday (not Saturday), the 24th, in view of apprehended disturbances, the magistrates ordered that all sellers of retail drink should close their houses. In accordance with this order—not by order of the police—Mr. Noud and his party were refused admission to Monson's Hotel, which was included in the order.

WAR OFFICE—THE SUPERINTENDENT OF THE CARRIAGE DEPARTMENT—WOOLWICH ARSENAL.

MR. BRADLAUGH (Northampton) asked the Secretary of State for War, Whether the Superintendent of the

Carriage Department, Royal Arsenal, employs several of the *employés* of the Department as members of the crew of his private pleasure yacht; whether he can give the names and character of the employment respectively of the several persons so employed, and the several periods at which all or any of such *employés* were absent from their duties at the Arsenal, and, if by leave, then by whom such leave was granted; and, whether the pay and allowances of such persons continue during their respective absences?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): I am informed that there are no men belonging to the Royal Carriage Department employed on the yacht referred to; nor have any men been so employed while belonging to the Department.

BOARD OF CUSTOMS—THE SECRETARY AND SURVEYOR GENERAL.

MR. ARTHUR O'CONNOR (Donegal, E.) asked Mr. Chancellor of the Exchequer, Whether there is at present any Secretary to the Board of Customs, since the abolition by the Treasury of the post last year to secure a saving of £1,400; whether there are more than two Surveyors General; whether one of them is now acting as Secretary; why the Estimates provide for a resuscitation of the post of Secretary, and also for three Surveyors General; and, what has become of the reduction effected last year?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover-square): The post of Secretary to the Board of Customs never was abolished, only suspended; so there is no question of its resuscitation. There are at present only two Surveyors General, one of whom is also acting temporarily as Secretary, and there is also a Surveyor acting temporarily as Surveyor General; the third Surveyor Generalship is thus also in abeyance. The Estimates provide for a Secretary at a salary of £1,200, and for three Surveyors Generals, the same as last year. The ultimate staff is dependent upon the question of amalgamation; but, in any case, there will have to be a Secretary for Customs business. In the meantime, it is necessary to make provision for the normal strength of the Office, until some decision is come to as to the practicability of amalgamation. But, of course, the money will not be spent unless the places are filled up.

WAR OFFICE—ARMY CONTRACTS—SUPPLY OF ACCOUTREMENTS.

MR. HANBURY (Preston) asked the Secretary of State for War, Whether it is the fact that helmets, knapsacks, gaiters, pouches, and other accoutrements, have been for about 18 months, and still continue to be, manufactured for the British Army in a foreign prison by a large contractor still on the Government list of selected firms at prices much below even those paid to sweaters; whether the condemned mule traces at Woolwich are now being fitted with new iron squares; and, if so, whether it is intended to issue them to the troops in the event of war; whether saddles are now being padded with what is described by an eye-witness as filthy, rotten hair out of condemned hospital beds; and, whether he has consulted the Law Officers of the Crown as to the possibility of proceeding against contractors who supply, and officials who admit, bad stores under the existing law?

THE SECRETARY OF STATE (Mr. E. STANHOPE) (Lincolnshire, Horncastle): In answer to the first Question, the War Office has no reason for suspecting the existence of any such practice as that referred to. If the hon. Member will give me privately the name of the contractor he refers to, further inquiry shall be made. In answer to the second Question, no condemned mule traces are being fitted with iron squares, or are to be issued to the troops. In answer to the third Question, no saddles are being padded with filthy, rotten hair out of condemned hospital beds. I should like to add that the hon. Member, by holding personal communication with disaffected workmen at Woolwich, is doing his best to make the maintenance of discipline impossible.

MR. SPEAKER: Order, order! The right hon. Gentleman is exceeding the usual limits of an answer to a Question.

MR. E. STANHOPE: I at once bow to your ruling, Sir. I withdraw at once this statement, which I recognize I should not have made. I wish to add,

however, that the duty of any man there, if he thinks he sees anything going on which is detrimental to the Public Service, is to report it to Colonel Barrington. In answer to the last Question, there can, I think, be little doubt as to the existing law; but I am taking further advice upon the subject.

MR. HANBURY: I wish to ask the right hon. Gentleman, whether he knows that I have communicated with anybody whatever except the man Dunn, who disclosed the whole of this scandal?

MR. E. STANHOPE: I am not able to express any opinion about that; but as the hon. Member refers to an eye-witness as to what took place recently, I have no doubt the information has been communicated to him.

MR. HANBURY: Is the right hon. Gentleman justified in describing Dunn and Moody as disaffected workmen?

MR. E. STANHOPE: I have not done so in any way.

MR. HANBURY: But the right hon. Gentleman distinctly said that I had been in communication with disaffected workmen.

MR. E. STANHOPE: Owing to your ruling, Sir, I am not able to deal with that particular part of my answer.

MR. HANBURY: I shall refer to this matter when the Vote for the Director of Contracts comes on.

SUGAR MANUFACTURE—NEW ZEALAND.

MR. SUMMERS (Huddersfield) asked the Under Secretary of State for the Colonies, Whether the Colony of New Zealand has passed an Act or Acts granting special fiscal advantages or bounties on the manufacture and export of sugar; whether the repeal of these Acts forms part of the policy of abolishing sugar bounties contemplated in the recent negotiations; and, whether there are any other British Colonies which give bounties on the manufacture or export of sugar?

THE UNDER SECRETARY OF STATE (Baron HENRY DE WORMS) (Liverpool, East Toxteth): There is an Act in New Zealand to encourage the cultivation of beetroot and sorghum for the purpose of making sugar. It was passed in 1884. It is practically inoperative; and the Colonial Government have undertaken to enter into the Sugar Bounty Convention. According to the latest information in the Department, there is no other Colony which gives any bounty on the manufacture or exportation of sugar.

PREVENTION OF CRIME ACT, 1882—MR. PETER SWEENY.

MR. SHEEHY (Galway, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Irish Local Government Board and the Irish Registrar General took any, and, if so, what steps, to ascertain whether Mr. Peter Sweeny was arrested at any time under "The Prevention of Crime (Ireland) Act, 1882," before refusing to sanction his appointment by the Loughrea Board of Guardians to the offices of Sanitary Officer and District Registrar, on the grounds that Mr. Sweeny was arrested on a charge of suspicion of murder in the years 1880, 1881, or 1882; whether there is any truth whatever in the statement that Mr. Peter Sweeny was ever under arrest on such a charge; whether he is aware that Mr. Sweeny has undertaken, by contract, to sink two wells in the Craughwell Division, and has had to suspend work, after having gone a considerable depth, because of the refusal to grant him a licence for dynamite and blasting powder necessary for the work; whether, for the same cause, he is unable to proceed with the building of two schools in the parish of Kiltulla; and, if he can state the grounds for the persecution to which Mr. Peter Sweeny is subjected?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Local Government Board, in the course of their inquiries, ascertained that Sweeny had been in prison for three weeks in Galway Prison under the Peace Preservation Act; and, further, that his antecedents were such as to render him an unfit person for service under the Poor Law Acts. It is the case that he was arrested on the 4th of July, 1882, under the Protection of Person and Property Act, 1881, on suspicion of being accessory to murder, and his two brothers were likewise arrested on the same suspicion. The Guardians did not make an appointment within the statutable period to the vacant office of Registrar of Births, Deaths, and Marriages, which thereupon vested in the Lord Lieutenant, who appointed the interim Registrar, who had discharged satisfac-

torily the duties of assistant and deputy for some time. I am not aware of what contracts the man may have undertaken. The responsible authorities, however, cannot consent to his holding a licence for dynamite and powder.

EDUCATION DEPARTMENT—UNIVERSITIES AND COLLEGES—FINANCIAL CONDITION.

SIR HENRY ROSCOE (Manchester, S.) asked the Vice President of the Committee of Council on Education, Whether the documents containing particulars of the financial condition of the University and other Colleges in England have now been received; and, whether, if so, he can state when the Education Department will be able to report to the Treasury thereon?

THE VICE PRESIDENT (Sir WILLIAM HART DYKE) (Kent, Dartford): The information asked for has, I believe, been made complete within the last few hours, and the Department will lose no time in making their Report to the Treasury.

LAND LAW (IRELAND) ACT, 1887, SEC. 29—ADJUSTMENT OF RENTS.

MR. M'CARTAN (Down, S.) asked Mr. Solicitor General for Ireland, Whether, with reference to the equitable provisions of "The Land Law (Ireland) Act, 1887," he is aware that in holdings where the gale day is the 1st November, and where there is only one gale day in the year, the tenant to whom the section applies was, under the 29th section, entitled to adjustment of the rent for the year ending November 1, 1887; whether it was intended that he should also be entitled to adjustment of the rent for the years ending November 1, 1888, and November 1, 1889; whether he is aware that, with regard to the second year's adjustment in such cases, the section provides that it shall be for the year commencing from November 1 (the first gale day) in 1888, and no provision is made for adjustment of the rent for the year ending on November 1, 1888; and, whether, considering this serious defect in the section, he will advise the Government to take steps to have it remedied?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University): I will give the matter my very best consideration, having regard particularly to the fourth paragraph of the Question.

RIOTS, &c. (IRELAND)—DISTURBANCE AT DUNDALK RAILWAY STATION.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that on Wednesday last, when the people were quietly and peaceably moving from the Dundalk Railway Station, where they had met the hon. Member for East Mayo (Mr. Dillon) and his friends, Mr. Cullen, Divisional Magistrate, ordered the dragoons and constabulary to stop the procession, and thereby caused considerable confusion and disorder, during which several persons were thrown down and injured; and, whether Mr. Cullen had received instructions from Dublin Castle to act in this way?

MR. NOLAN (Louth, N.) also asked, whether it was not admitted on all hands that the people of Dundalk and Louth were exceedingly peaceable and law-abiding people; that the crowd on this occasion were perfectly orderly, and largely composed of women and children; that being so, what was the object of an armed demonstration on the day against respectable men, women, and children; and he would also like to ask the right hon. Gentleman, whether it was not also true that a large number of people were injured in Dundalk on that occasion by police and military?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I do not know the circumstances referred to well enough to express an abstract opinion on the peaceableness of the Dundalk people. Mr. Cullen reports that he did not act in the manner described, and he had no instructions from Dublin Castle to do so. He is not aware that any persons were injured.

MR. M'CARTAN: Might I ask the right hon. Gentleman if he will hold an inquiry? I assure him that I heard Mr. Cullen using the words.

MR. SPEAKER: Order, order!

MR. NOLAN: Since the information supplied to the right hon. Gentleman differs entirely from that which was given in the Press, and stated by hon. Members of this House and other eye-witnesses, will he make a full and open inquiry into the matter?

[No reply.]

Subsequently,

MR. NOLAN said, he hoped he would be excused for again asking the Chief Secretary what he was going to do with regard to what happened on the occasion of Mr. Dillon's trial? He had it on the best authority that a number of his constituents were ridden over by the dragoons and struck down by the police with their batons. Was the right hon. Gentleman going to let the matter fall to the ground because the incriminated person said these things did not happen? Would he grant an inquiry? He would also like to ask the right hon. Gentleman, was it a fact that the chief officer who had charge of the police on that occasion was the same who was gravely censured by the late Under Secretary for compounding a charge which was made against him of perjury and assault?

MR. A. J. BALFOUR: I have not the slightest idea of what the hon. Member refers to in the latter part of his Question. As to the former part, I may remind him that the incidents occurred on the occasion of a very large gathering of people, at a time when a gentleman was being tried on appeal. On such an occasion it is absolutely necessary to take precautions, and it is almost absolutely necessary to disperse the crowd. Of course, that ought to be done, if possible, without injury to anyone. I am not aware, nor are the police aware, that any people were injured on this occasion; and if the hon. Gentleman is aware of it, I am very sorry.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): Is it not the function of a public highway to allow people to proceed quietly and unmolested?

MR. SPEAKER: Order, order! The hon. Gentleman is now arguing a point, not asking a Question.

MR. SEXTON: I wish to ask the right hon. Gentleman, whether it was not lawful for Mr. Dillon and his friends to proceed from the railway to the Court House without molestation?

MR. A. J. BALFOUR: That does not make it right to have a large concourse of people accompanying him in triumphal procession.

MR. T. C. HARRINGTON (Dublin, Harbour): Might I ask the right hon. Gentleman, is it not the fact that the large concourse of people were in town because it was a fair-day, and because they had business to transact?

MR. PICTON (Leicester): Will the right hon. Gentleman say whether there was any threatened disturbance to justify the attack on the people?

MR. LABOUCHERE (Northampton): I wish to ask the right hon. Gentleman, if in the necessary precautions for taking a prisoner for trial in Ireland is included the breaking of people's heads?

MR. SPEAKER: Order, order!

PRISONS (IRELAND)—MR. JOHN DILLON, M.P.

MR. W. H. JAMES (Gateshead) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. John Dillon, while exempt from all forms of prison labour, has access to books and writing materials in the infirmary of Dundalk Prison?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.), in reply, said, he could not answer the Question without further Notice; but he could tell the hon. Gentleman that the ordinary Prison Rules were applied in the case of Mr. Dillon the same as in that of any other prisoner.

MR. W. H. JAMES asked, if the right hon. Gentleman would consider, in this case, whether a condition of laborious idleness was not more exasperating and injurious than hard labour itself.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): As Mr. Dillon has been placed in the infirmary in consequence of the condition of his health, I wish to ask the right hon. Gentleman whether the medical officer of the prison has the power of ordering him the means of reading and writing?

MR. A. J. BALFOUR: I believe it is in the power of the medical officer of the prison to take any steps for the preservation of the health of any prisoner in his charge.

LAW AND JUSTICE—COURTS OF SUMMARY JURISDICTION—PRISONERS AWAITING TRIAL.

MR. FIELDEN (Lancashire, S.E., Middleton) asked the Secretary of State for the Home Department, Whether, in view of the recommendations of the Committee appointed by him to inquire

into the accommodation for prisoners awaiting trial at the Courts of Summary Jurisdiction, he proposes to take any, and, if so, what, action to remedy the present defective arrangements?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am now in communication with the Office of Works and the other authorities in whom the control of the Police Courts of the Metropolis is vested, and have earnestly invited their co-operation in carrying out such alterations as will be necessary to secure an improved accommodation for prisoners awaiting trial. I have also communicated with the authorities responsible for the accommodation at all Stipendiary Courts; and I have, in several instances, received from them satisfactory assurances that substantial improvements will be effected. I have now under my consideration the best course to pursue with the view of securing satisfactory accommodation at the Petty Sessional Courts throughout the country. That is a much larger question, owing to the number of such Courts.

LAW AND JUSTICE (ENGLAND AND WALES)—THE MIDLAND SUMMER ASSIZES—AYLESBURY AND LEICESTER.

MR. COBB (Warwickshire, S.E., Rugby) asked the Secretary of State for the Home Department, Whether under the arrangements for the Summer Assizes on the Midland Circuit a week is given at Aylesbury, where there is little business, and two days are given at Leicester, where there is much business; whether these arrangements have been made after communicating with the leading counsel on the Circuit; and, whether he will endeavour to induce Her Majesty's Judges to give more time for the business at Leicester?

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I am informed by the Lord Chancellor that at Aylesbury (where the Assizes have already been held) there was one clear day—namely, Monday, the 25th—besides the Commission Day. At Leicester the Commission Day is on July 10, and the next Commission Day (at Oakham) is on the 13th, giving two clear days. The arrangements are made by the Judge going the Circuit, after ascertaining the probable amount of business, in such manner as he thinks fit. It is part of the Circuit system that no case shall be left untried; and if the time allowed for Leicester proves to be insufficient the Commission Day at the next place will be deferred.

POST OFFICE—LETTERS OF IRISH MEMBERS.

SIR THOMAS ESMONDE (Dublin Co., S.) asked the Postmaster General, By whose authority are the letters of Irish Members of Parliament opened in the post; and, if he will take steps to put an end to the practice?

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): To the Question of the hon. Baronet the answer is simple—that it is not in my power to put an end to a practice which does not exist.

SIR THOMAS ESMONDE: If a case is put into the hands of the right hon. Gentleman in which letters to an Irish Member from his constituents were opened, will he order an inquiry to be made into the matter? I also wish to ask him, is it not a fact that there is in the post office at Cork an individual especially employed for the "Grabamising" of letters from America?

MR. RAIKES: Certainly. I will have an inquiry made into any case that may be brought before me.

MR. W. REDMOND (Fermanagh, N.): I can tell the right hon. Gentleman that the practice does exist.

ROYAL COLLEGE OF SURGEONS OF ENGLAND — A SUPPLEMENTAL CHARTER.

LORD RANDOLPH CHURCHILL (Paddington, S.) asked the First Lord of the Treasury, Whether it is correct that Her Majesty's Privy Council has advised Her Majesty to grant a "Supplemental Charter" to the Royal College of Surgeons of England; and, whether the said Charter recognizes, and, if so, to what extent, the claims of the members of the College to take part in the election of, and to representation on the Council of the said College, as embodied, with other requests, in a Petition signed by 4,665 members, and presented to the Privy Council in May, 1887; if not, whether Her Majesty's Ministers will be prepared, at the urgent

request of the members, to recommend Her Majesty to delay the granting of the said Supplemental Charter until such time as a Report from a Royal Commission appointed to inquire into the constitution of the College and the position of its members shall have been received, or until some further investigation shall have been made into the several matters contained in a Petition of the Members to the Privy Council?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): The Lords of the Council have agreed to advise Her Majesty to grant a Supplemental Charter to the Royal College of Surgeons of England. The Charter does not in any way deal with the question of election. The Government do not consider it necessary to recommend the appointment of a Royal Commission to inquire into the constitution of the College, or the postponement of the grant of a Charter, which does not affect any of the questions which have been matters of controversy.

LORD RANDOLPH CHURCHILL gave Notice that, in consequence of the answer of the right hon. Gentleman, he would move that an humble Address be presented to Her Majesty praying Her Majesty not to grant a Supplemental Charter until such time as a full inquiry had been made into the constitution of the College.

PUBLIC OFFICIALS—DISCLOSURE OF OFFICIAL SECRETS.

MR. HANBURY (Preston) asked the First Lord of the Treasury, What are the Regulations of the Treasury as to the disclosure by officials of public scandals of which they have knowledge; whether such knowledge constitutes an official secret; and, whether an official, who is aware of such scandals, and has unsuccessfully brought them to the notice of his official superiors, renders himself liable to punishment for disclosing, in good faith, the fact that the public, his masters, are thereby being injured?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): There are no general instructions to officials as to the disclosure of public scandals of which they may have knowledge, although there are instructions relative to the divulgence of official documents. It would be the duty of a public servant to report an official scandal to his chiefs. Any official who is aware of such scandals, and has unsuccessfully brought them to the notice of his official superiors and to the notice of the Government, would, undoubtedly, be protected for disclosing, in good faith, the fact that the public, his masters, are being injured. But such public servant is under the same responsibility as other subjects; and the fact of his being a public servant would not protect him if he should make false charges, or should publish libels on character.

PERPETUAL PENSIONS.

MR. BRADLAUGH (Northampton) asked the First Lord of the Treasury, What steps, if any, he has yet taken to give effect to the Resolution of this House for the abolition of perpetual pensions; and, whether, in accordance with the remainder of that Resolution, the Government are now prepared to make any statement to the House on the subject of pensions generally?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): A Treasury Minute on the subject of perpetual pensions has been prepared, and will shortly be laid on the Table. The question of pensions generally is, I understand, being dealt with by the Commission on Civil Service Establishments, and I have every reason to believe that they will report very shortly.

CIVIL LIST PENSIONS—LITERARY PENSIONERS.

MR. SUMMERS (Huddersfield) asked the First Lord of the Treasury, Whether he will take into consideration the advisability of requiring from all future recipients of literary pensions an assurance, similar to that obtained by the right hon. Member for Mid Lothian (Mr. W. E. Gladstone) from certain political pensioners, that in case they should receive a considerable addition to their incomes they will cease thereafter to draw their pensions?

MR. JOHNSTON (Belfast, S.) asked, whether, in the event of the reply of the right hon. Gentleman being in the affirmative with regard to these small allowances, it would be possible to carry out the same arrangement in the case of statutory allowances to ex-Cabinet Ministers?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster): I think the answer will cover that ground also. The Act (1 *Vict.* c. 2), under which Civil List pensions are granted, gives no power to the Government to demand from recipients the assurance suggested by the hon. Member. These pensions, which are not largely literary, are, for the most part, granted to those who, in addition to other claims on the nation, are in urgent need of such assistance; and in the Annual Return made to this House of pensions granted during the year a statement to that effect is made. The pensions being given on these grounds, I think the question of their surrender on accession of wealth may be left, as in the case of the political pensions alluded to, to the honour of the recipients.

THE ROYAL COMMISSION ON EDUCATION—THE REPORT — PREMATURE DISCLOSUE.

MR. MUNDELLA (Sheffield, Brightside) asked the Secretary of State for the Home Department a Question of which he had given private Notice, Whether his attention has been called to the publication in that day's *Times* of the Majority Report of the Royal Commission on Education; whether last week a confidential document, together with some conclusions of the Commissioners, did not appear in the same journal; whether the Report of the Commission, or any part of it, had yet been received at the Home Office to be submitted to Her Majesty; and, if not, whether he could in any way account for this scandalous irregularity? He (Mr. Mundella) found that a Manchester paper had also published what purported to be a complete version of the 143 paragraphs of the Majority Report, as well as an indication of the Report of the minority.

THE SECRETARY OF STATE (Mr. MATTHEWS) (Birmingham, E.): I was aware that the Majority Report was published in this morning's paper. It has not yet reached the Home Office; and I am at a loss to understand how any gentleman who has access to a document which is confidential and has not been laid before Her Majesty can possibly have communicated it to the Press.

MR. PICTON (Leicester): Has it escaped the observation of the right hon. Gentleman that the Report only appeared in *The Times?*

MR. MUNDELLA: Will the right hon. Gentleman take steps to follow up this scandalous case of breach of confidence?

MR. J. G. TALBOT (Oxford University): I wish to ask, whether the Government are prepared to take any measures to prevent and punish such scandalous breaches of public confidence?

MR. ILLINGWORTH (Bradford, W.) asked, whether the observation of the right hon. Gentleman covered the confidential Memorandum referred to in the Question of the right hon. Gentleman the Member for Sheffield?

MR. MATTHEWS: I had not noticed the publication of the Memorandum. With regard to the other matter, I will certainly inquire how it is that this document has been published. There is a Bill on the Table that may possibly reach such a case; but, except in that manner, I know of no other way of punishing it.

MR. PICTON asked, whether the right hon. Gentleman had noticed that the document had not appeared in any other London paper except *The Times?*

MR. MATTHEWS: I have not seen all the London papers; but I will take it from the hon. Member that it is so.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—JUDGMENT IN THE KILLEAGH CASE—SHORTHAND WRITER'S NOTES.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he would grant, as an unopposed Return, a copy of the shorthand writer's notes of the Judgment delivered in the Killeagh conspiracy case on the 20th of June?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I think that there were no official shorthand notes taken; but, even apart from that, it would be extremely inconvenient to present them.

MR. SEXTON: Then will the Chief Secretary lay on the Table a copy of the document—whatever it was—that the Chancellor of the Exchequer quoted in the course of the recent debate?

MR. A. J. BALFOUR: My right hon. Friend the Chancellor of the Exchequer did not quote from any official documents. The rule is to lay upon the Table official documents from which extracts are quoted. This was not an official document.

MR. SEXTON: What was the manuscript from which the Chancellor of the Exchequer and the Solicitor General for Ireland quoted the language of the Lord Chief Baron and other Judges?

SIR WILLIAM HARCOURT (Derby): I must ask the right hon. Gentleman the Chancellor of the Exchequer to be kind enough to answer the Question; because the practice—which is new—has become so habitual on the Ministerial Bench of quoting documents night after night which they do not produce. ["Order!"] I will ask the Chancellor of the Exchequer what were the documents from which he quoted?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): I will ask the right hon. Gentleman to repeat the Question on another occasion.

MR. SEXTON: I will ask the right hon. Gentleman whether it was not a shorthand note of the Judges' Charges taken by a person paid by public money?

MR. A. J. BALFOUR: I believe it was not. But if the hon. Member will put a Question again I will answer him categorically; but I believe it was not.

BUSINESS OF THE HOUSE.

MR. JOHN MORLEY (Newcastle-upon-Tyne) asked, When the Parliamentary Under Secretary to the Lord Lieutenant of Ireland Bill would be further proceeded with?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.): It cannot possibly be taken until after the Committee stage of the Local Government Bill.

In reply to Mr. LABOUCHERE (Northampton),

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, that some Votes on the Civil Service Estimates would probably be taken on Monday. He would, however, make a statement to-morrow as to the order of Business.

MR. T. E. ELLIS (Merionethshire): Will there be a Morning Sitting to-morrow.

MR. W. H. SMITH: Certainly.

ORDERS OF THE DAY.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.—[BILL 182.]

(*Mr. Ritchie, Mr. William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Secretary Matthews, Mr. Long*)

COMMITTEE. [*Progress 22nd June.*]

[TENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART I.

COUNTY COUNCILS.

Powers of County Council.

Clause 8 (Transfer to county council of powers of certain Government departments and other authorities).

MR. CHAPLIN (Lincolnshire, Sleaford) moved, as an Amendment, in page 6, line 27, to leave out "such Order in Council," and insert "Provisional Order under this section."

Amendment proposed, in page 6, line 27, to leave out the words "such Order in Council," and insert the words "Provisional Order under this section."—(*Mr. Chaplin.*)

Question, "That the words 'such Order in Council' stand part of the Clause," put, and *negatived.*

Question, "That the words 'Provisional Order under this section' be there inserted," put, and *agreed to.*

MR. CONYBEARE (Cornwall, Camborne), in moving, in page 6, line 30, to insert—

"Provided that, in the constitution of any such joint committee, the number of county aldermen appointed to serve thereon shall in no case be more in proportion to the number of councillors so appointed than the number of aldermen in the whole council bears to the councillors,"

said, he did not know whether the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) was disposed to accept this Amendment?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's): No, Sir.

MR. CONYBEARE said, that, under those circumstances, it would be necessary to explain the reasons which induced him to propose this Amendment. He maintained that it was a reasonable and proper Amendment, seeing that it simply provided that, in the constitution of the joint committee, the number of County Aldermen appointed to serve should in no case be more in proportion to the number of Councillors than the number of Aldermen in the whole Council bore to the Councillors. It had already been decided that the nominated Aldermen should be one-fourth of the County Council; and, that being so, he thought it would be undesirable, when a committee was formed to represent two County Councils, that there should be upon that committee as members more than one-fourth who were Aldermen. He took it that the duties of the joint committee would be very important, as the clause now stood, since the passing of the Amendment which had been moved by the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin). There might also be at any time a transfer to the Council of very important functions now exercised under different Acts of Parliament, and it seemed to him that the more these matters of business affected two different counties the more important they were likely to be. It was, therefore, highly desirable that nothing further should be done than had already been done by the Reactionary Party connected with the passage of this Bill to deprive the elected representatives in the County Council of their just right of control in this matter of public business. Their rights had already been much curtailed and limited, and it was possible, unless some such provision were adopted as was suggested in this Amendment, that a joint committee of two County Councils might be composed of the unrepresented section of such Councils—that was to say, that the elected representative might be altogether excluded. In order to avoid such a case as that, he thought they ought to provide that the proportion laid down in the Act as being the proportion to be observed in the constitution of the Council itself between the Aldermen and the elected representives should be observed on the joint committees it was proposed to constitute. He had no wish to waste the time of the Committee by making unnecessary remarks; but be confidently asked for the support of the Committee upon this Amendment.

Amendment proposed,

In page 6, line 30, to add the words—"Provided that, in the constitution of any such joint committee, the number of county aldermen appointed to serve thereon shall in no case be more in proportion to the number of councillors so appointed than the number of aldermen in the whole council bears to the councillors."—(*Mr. Conybeare.*)

Question proposed, "That those words be there added."

MR. RITCHIE said, that, of course, the Government could not accept the proposal of the hon. Member, which really placed a limitation upon the power of the County Councils which did not exist in any of the Town Councils elected under the Municipal Corporations Act. The hon. Member was probably aware that the Town Councils, as a whole, elected their committees. It was, therefore, desirable that the County Councils should also be left to choose their committees as they thought best; and, as three-fourths of the County Councils would be elected representatives, the hon. Member might have every confidence that they would be thoroughly well able to wield their just weight and influence.

MR. STANSFELD (Halifax) said, he wished to point out, as the right hon. Gentleman had compared this case with the appointment of committees by the Town Councils, that in this instance powers were absolutely delegated to the joint committees of the County Councils, who would, therefore, have far more authority than committees elected by the Town Councils. In the case of committees appointed by Municipal Corporations, they were not responsible for the exercise of the powers they enjoyed; but those who were responsible were the Town Councils which appointed them.

MR. J. CHAMBERLAIN (Birmingham, W.) said, his right hon. Friend the Member for Halifax (Mr. Stansfeld) must have forgotten his experience of Municipal Councils. In the case of

Watch Committees, when they were once appointed they had independent power.

MR. CONYBEARE said, the right hon. Gentleman the President of the Local Government Board had stated reasons why he could not accept the Amendment. One was, that he did not wish to make an invidious distinction between County Aldermen and elected Councillors. He (Mr. Conybeare) had no desire to establish a distinction, but a distinction had already been established by the right hon. Gentleman himself. Hon. Members on that side of the House had contended all along for the principle of popular control by the popularly elected representatives of the people; but the Government, while pretending to grant that principle, had persistently withheld it, and had taken care to make their Bill a sham and a farce by the institution of County Councillors. Having done so, he thought they were bound not to raise invidious distinctions between the County Aldermen and the elected representatives. It was only right they should see that in all respects the proper limitations and the proper proportions, as laid down in the Bill, should be maintained wherever committees were constituted, and wherever it was possible that too great a proportion of the nominated members might be appointed at the expense of the elected representatives. He had not such great confidence in the class from which the nominated Aldermen were likely to be taken as to believe that in all cases the elected representatives would be properly considered, and for that reason he had ventured to place the Amendment on the Paper. The other argument of the right hon. Gentleman was that there was no provision of this kind in the Municipal Corporations Act. He would venture to remind the right hon. Gentleman that there was nothing in the Municipal Corporations Act in regard to the constitution of joint committees such as were proposed to be constituted here. If the right hon. Gentleman could show him a case where, under the Municipal Corporations Act, it was proposed that two boroughs should appoint a committee for the purpose of joint control, there would be something in his argument; but he was raising a false issue based on an entire fallacy. Therefore, there was no force in his argument; and he hoped that the Committee would not think he was needlessly obstructive if he asked for a Division to be taken upon the Amendment. He did not wish unnecessarily to waste the time of the House, but he really thought it a point that was worthy the attention of the Committee.

SIR WILLIAM HARCOURT (Derby) said, he hoped that his hon. Friend, having placed his argument before the House, would not take a Division upon the Amendment.

Question put, and *negatived.*

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

SIR WILLIAM HARCOURT said, he wished to say one or two words upon this clause before it was passed. He had no desire to go back to any of the matters that were discussed under the clause; but it must be remembered that this was the only Decentralization Clause of the Bill. In regard to the powers hitherto given, they were not strictly decentralization powers, because the magistrates were a Local Authority, and it was simply transferring power from one Local Authority to another. But this clause was intended to be decentralizing, because it gave powers that were now exercised by the Executive Government to the County Councils. He regretted that in the clause they were about to pass so very little was done in the nature of decentralization. As a matter of fact, nothing was done actually, but whatever was to be done hereafter was to be a matter for future legislation. As the matter was to be considered in future, he would ask the right hon. Gentleman, when he came to frame his Provisional Order, to endeavour to amplify the powers conferred by it. He would speak of an Office with which he was familiar—namely, the Home Office. He believed that there were powers now vested in the Home Office far more important than those which had been placed in the Schedule, and which might with great advantage be transferred to the County Councils. He had always felt, and the present Home Secretary must feel, that the Home Office had no proper staff to deal with such questions as the inspection of mines and the provisions of the Factory

and Workshops Acts. Those duties were thrown upon the Home Office without providing the Office with any means of dealing with them. The consequence was that the staff was most imperfect, and the duties were not satisfactorily performed. He could not conceive questions more appropriate for the Local Authorities to deal with than mines, the circumstances and character of which varied in every locality. For instance, the mines in South Wales differed from those in Durham, those in Durham from those in the central counties, and those in the central counties differed again from those in Lancashire. He was deeply convinced of the utter inability of the Central Authority to deal properly with these questions; and he hoped the right hon. Gentleman, when he came to frame his Provisional Order, would consider the propriety of transferring these powers to the Councils, so that they might be under the supervision and control of persons fully acquainted with, and chiefly interested in, the subject.

MR. OSBORNE MORGAN (Denbighshire, E.) said he wished, before the clause passed, to call attention to the operation of the clause upon the Burial Laws. The whole condition of the Burial Laws was very unsatisfactory, and even discreditable. The intention of the clause, as it was originally drawn in the Bill, was to confer upon the County Councils all the powers now exercised by the Home Office under the old Burial Acts, and also the powers exercised by the Local Government Board under the Public Health (Interments) Act, 1879. That, at least, was the view of the President of the Local Government Board, as expressed in an answer given to him (Mr. Morgan) 10 days ago. To that he had no objection; but, as a matter of fact, he found that the clause would have no such operation, for several Acts by which important duties which were now imposed upon the Home Secretary were not mentioned in the Schedule; and, moreover, several sections, both of the Burial Acts and the Act of 1879, which ought to have been included in the Schedule, were omitted therefrom. What he wished to point out was that, unless more care was taken in framing the Provisional Order Bill, they would find themselves landed in further difficulties; confusion would become more confounded, and instead of having, as at present, to deal with two Bodies, it would be necessary to deal with three.

MR. RITCHIE said, he could assure the right hon. Gentleman that every care would be taken to provide adequately in the Provisional Order Bill for the administration of the Burial Law. He promised that the matter should be carefully considered before the Provisional Order Bill was drawn up. In reference to what had fallen from the right hon. Gentleman the Member for Derby (Sir William Harcourt), of course, like the right hon. Gentleman, he had no wish to enter into any previous discussion as to the proposals which were made originally and the proposal which was submitted now. At the proper time it would be open for the right hon. Gentleman to consider whether or not some further powers which now existed might not be transferred. The right hon. Gentleman had referred specially to the inspection of mines. As the clause was originally framed, the Government were anxious to decentralize as far as possible. They not only provided at once for the transfer of many powers to the County Councils, but in the clause they took powers of an extensive character to make further transactions of business by an Order in Council. That had arisen from a desire to provide work for the County Councils when they were set up, and also to deal as lightly as possible with the whole matter in a decentralizing spirit. Although they had adopted now another proposal which had been pressed upon them from more than one quarter of the House, he could assure the right hon. Gentleman it would be their duty, and their willing duty, to consider the suggestions or observations he desired to make in reference to the matter. He hoped, when the Provisional Order Bill was laid on the Table of the House, that the right hon. Gentleman would feel satisfied that the Government were as anxious as ever to bring about a satisfactory and effective decentralization.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.) said, that the clause, which was to be passed in its present emasculated condition in deference to the desire of that House to have further legislation next Session, was worth little or nothing. All that it did was to give a promise on the part of the Government

to bring in a Bill in another Session. The only distinction between it and an ordinary Public Bill was that it was to be brought in in the shape of a Provisional Order Bill. The right hon. Gentleman was much too sanguine if he expected that his Provisional Order Bill would be at all like ordinary Provisional Order Bills, and would be passed without difficulty. Ordinary Provisional Order Bills were dealt with under certain circumstances; but this would effect so great a change that it was impossible to suppose that it could be introduced and disposed of in that House in the course of a few hours. He trusted that it would be a liberal Bill.

Question put, and *agreed to.*

Clause 9 (Powers as to closing public-houses on special days).

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, he desired to make an appeal to hon. Members who had given Notice of Amendments to this clause. As the Committee were aware, it was within the right of hon. Gentlemen who had Amendments on the Paper to move those Amendments before they came to consider the question whether the clause should stand part of the Bill. Looking, however, to the fact that the Government proposed to omit the clause, he would press upon them not to propose their Amendments. In the event of the Committee coming to the conclusion that the clause should be omitted, of course their Amendments would be unnecessary. If, on the other hand, the Committee should conclude that the clause should stand part of the Bill, hon. Members would not be prevented from moving their Amendments on the Report. He hoped, therefore, that hon. Gentlemen would not move their Amendments, as that course would be very greatly for the convenience of the Committee.

SIR WILLIAM HARCOURT (Derby) said, he was sure that the course proposed by the right hon. Gentleman would be the most convenient one, and he, therefore, hoped that it would be adopted.

Motion made, and Question proposed, "That Clause 9 stand part of the Bill."

MR. RITCHIE said, he had to ask the Committee to omit this clause from the Bill. They would be aware that originally the Government proposed to deal, not only with this phase of the question, but with the whole question of licensing and matters of that description. He did not propose—in fact, it would be out of Order—to enter into discussion of the matters touched upon in the various clauses which affected the liquor traffic. The Government made those proposals in the hope that both sides of the House would find in them, at least, a basis for a satisfactory settlement of this great and difficult question. Unfortunately, the Government had been compelled to come to the conclusion that their proposals were not likely to find acceptance from that Party in the House which had identified itself for so many years, and so honourably, with the cause of temperance. The Government had, therefore, come to the conclusion, that, as far as time was concerned, it was impossible to deal with the question. They perceived that if they determined to proceed with those clauses it would only be done after a most protracted discussion, and in the face of very great opposition. They felt that, looking to the period of the Session, it was impossible for them to hope that they would be able to discuss this question adequately, and to deal with all the Amendments, which filled several pages of the Notice Paper, and also with the other various important matters in connection with the Bill. With considerable reluctance the Government came to the conclusion that, so far as time alone was concerned, even apart from other considerations, it would be impossible for them to deal with this, and likewise with other questions in the Bill during the present Session. But it was not merely a question of time. They felt that, notwithstanding the good intentions of the Government, there had been a very considerable amount of feeling created out-of-doors upon this question. He did not propose to discuss whether that feeling was justifiable, but the fact remained that an enormous amount of feeling had been excited upon the question, and that it was likely to continue to be excited. Therefore, the Government considered that even if they were able in point of time to carry these clauses they would have been face to face with this enormous difficulty—that the first election of the County Councils

would have been prejudiced by the feeling created throughout the country on this question. They were desirous that all the County Councils should be chosen simply with a view of selecting the best men, and they felt that it was most essential the first Council, looking to the great importance of the duties which would devolve upon them, should be free from the excited public feeling which would, undoubtedly, have been excited if these clauses had been pressed. Therefore, both in regard to time and the efficiency of the first Council elected, they felt it was extremely desirable that these matters should not be proceeded with. He knew some hon. Members thought the Government might, at least, have dealt with this particular question of Sunday closing under the 9th clause. But the Government did not shrink from the position they had taken up. They had always contended that these matters might be dealt with locally in a satisfactory manner; but both the considerations which had prompted them to ask the House for leave to abandon the Licensing Clauses applied also to this particular clause. If hon. Gentlemen would look at the Notice Paper, they would see that there were a large number of Amendments on the clause, and that if the clause were pressed it would probably be discussed at great length. But the other considerations he had already named also entered very largely into the question. It would be very unfortunate, he thought, if the first election of County Councils were to be complicated by any question of Sunday closing. With reference to the views of the Temperance Party, he believed there was a strong desire—as was apparent from resolutions which had reached the Local Government Board—that that Party did not desire that Sunday closing should be referred to the County Councils and dealt with in the way proposed by the clause. There was hardly a single resolution upon the question which had been sent to the Board which did not commence at once by saying the question of Sunday closing was not one that need be referred to the County Councils at all. Therefore, the Government felt that in abandoning this particular clause they were not going against the views of the Temperance Party of the country. He thought he had stated, very fairly and very frankly, the reasons which had actuated the Government in asking leave to withdraw these clauses. He had also stated the reasons which rendered it undesirable that the Committee should deal with one part of the question only. He hoped the Committee would recognize in the reasons he had given sufficient justification for the proposal the Government now made, that Clause 9 should be omitted from the Bill.

SIR WILLIAM HARCOURT said, he recognized the fair and frank spirit in which the right hon. Gentleman had approached this subject, and that he himself would endeavour to deal with it, so far as he could, in the same manner. He had no desire to bring any charge whatever against the Government. He would say nothing that could ruffle the equanimity of even the hon. and learned Solicitor General (Sir Edward Clarke) on this subject, which he should separate entirely from the question of licensing and compensation, with which it had nothing whatever to do. He wished, however, to make one remark on that part of the question. The right hon. Gentleman seemed to think that some difficulty might arise and some strong feeling be developed in the County Councils, owing to the difference of opinion which undoubtedly existed throughout the country with regard to the liquor traffic. But he pointed out that if the right hon. Gentleman meant the County Councils to be living Bodies they must be given some work to perform. Unless they gave the County Councils something to do in the interest of the community which they represented, they would be absolutely worthless Bodies. They would be worthless Bodies if the Government were going to confine their work to questions on which society was neutral, such as main roads and bridges. Therefore, he thought the matters to be referred to them should be such as were of interest to the community, and on which public opinion was largely divided. He regarded the County Councils as Bodies which ought to be guardians of that which concerned the health and morals of the community over which they were placed, and; therefore, he thought that questions of a local character which affected the interest of the county communities ought to be placed in their hands. He believed that this question of Sunday closing was eminently one

which ought to be dealt with by the County Councils. He desired not to occupy the time of the Committee more than he could help; but he would, as briefly as possible, remind the House of what had been the history of this Sunday closing question. Many years ago, before he was in Parliament, Sunday closing had been enacted for Scotland, and since that time it had been enacted for Ireland and Wales. Sunday closing had not, therefore, been hitherto carried out by any general compulsory law; but Parliament had felt its way step by step when it had felt certain of acting in accordance with the wishes of the people with whom it had to deal. They knew that in Scotland the great majority of the people were in favour of Sunday closing, and that in Ireland, also, there was a great predominance of feeling in its favour. They had given Sunday closing to Ireland in consequence, and when they found that the same feeling existed in Wales they had given it to the Principality, and he was convinced that if they found the same feeling to exist in England, they must, to be successful, proceed on the same lines. Besides the Sunday Closing Bills which had been passed into law, Bills had been brought forward from other parts of the United Kingdom. These were Bills brought forward with respect to Durham, Cornwall, Monmouth, and other counties. He remembered a remarkable scene occurring in connection with the Durham Sunday Closing Bill. That Bill was supported by all the Members for the county, except his hon. Friend the Member for Monmouth (Sir George Elliot), who said that although he did not agree with the Bill he knew that his constituents were strongly in its favour, and he could not record his vote against it. He reminded the Committee that although the Durham Bill was confined to one county it went through the House of Commons and passed a second reading in the House of Lords despite the opposition of Lord Salisbury. Up to the year 1885, there was no doubt that the Conservative Party had been opposed to these measures in their various forms. He remembered that when Viscount Cross—then Sir Richard Cross—was sitting in the House he took the line that there ought to be one rule in this matter for the whole country. He (Sir William Harcourt) had never taken that view, and he thought that experience showed that what the noble Lord advocated was not a wise way of proceeding. In his view the proper principle was that each locality should judge for itself in this matter, for he believed the greatest mischief that they could do in a case of the kind was to attempt by Parliamentary enactment to impose reforms of this character upon communities which were not prepared for them, and did not wish them to be imposed. That mistake had been made a few years ago in connection with the Bill of Lord Grosvenor, and was not likely to be repeated. He had for many years contended for the principle of Local Option in this matter as against universal compulsion, because it gave the power of applying this reform to places which required it, and saved them from the danger of imposing it on places where it was not desired. He wished to define exactly what he meant by the term Local Option. He meant the right of each section of the community to determine this Sunday closing question or any other question according to its own wishes or the wishes of the public. As he had stated on a former occasion, the matter was mainly a question of areas, and he believed the smaller the areas which enjoyed Local Option the better, because the feeling of the people with whom they were dealing would be more certainly represented. He would willingly have accepted a smaller area than the county, because he conceived that one part of the county might wish this rule to be enforced, while other parts of the same county might have a different opinion, and he should have been very glad if Local Option could have been given to parishes. The difficulty which had been raised in reference to this matter, and the reason why the principle of compulsion and not Local Option had been adopted, was because there existed no Body within the county which could adequately represent the feeling in different parts of the county and determine on the matter. They had been extremely glad, and had looked forward to the Local Government Bill as a proper means of creating an authority which would be able to come to a determination on the question. He had spoken on the views which two or three years ago were taken as between

different sections in reference to this question, although he gladly acknowledged that it was not now a Party question. There were undoubtedly good friends to the cause on both sides of the House. Lord Salisbury's celebrated Newport speech in 1885 contained a declaration on this subject however, which gave great satisfaction. He need not remind the House that Lord Salisbury stated that—

"Looking at it from an impartial point of view, it was impossible not to see the difficulty of a uniform system for the whole country, and if the Government were not afraid of running against some rather antiquated views and doctrines they would have adopted the simple practice of leaving each locality to do what it liked in the matter."

The noble Lord went on to say that he ventured to think that in the few words he had said the idea would rush to the minds of those who heard him that he was proposing Local Option. The noble Lord certainly was proposing Local Option, and he went on to say that he did not think Local Option was bad where it could be legitimately applied, and that they had adopted it with reference to the closing of public-houses on Sunday where it was in accordance with the views of the population, and was regarded as a legitimate action to take place; and the noble Lord said he would therefore be inclined to entrust the Local Authorities with this difficult question of Sunday closing, but always on the understanding that they should not be entrusted with the power of dealing finally with the subject. They were satisfied with that declaration, and he (Sir William Harcourt) ventured to say that when it was put into practical shape in the 9th clause of the Bill all Members considered it decidedly satisfactory. [*Cries of* "Certainly not!"] He was sorry to hear that; but, at all events, they had always looked forward to the Local Government Bill as the measure in which the principle should be embodied. If that was not in itself the most practical proposal, it had, at any rate, one very great recommendation, to which Lord Salisbury himself referred when he said in 1886 on the Durham Bill—

"I remember that the late Government expressed their opinion that the matter ought to be left to the judgment of the localities acting through freely-elected representative Bodies, and that that view was generally accepted on all sides of politics throughout the country."—(3 *Hansard*, [306] 18.)

He (Sir William Harcourt) entirely agreed with that. It was the view accepted by the leading Representatives of both Parties in the State, and, as Lord Salisbury had said, it was the view accepted on all sides of politics throughout the country. Well, if that were so, why was this clause to be withdrawn? Who opposed it? The Government did not oppose it, because it was their own clause. The Opposition supported it cordially. Why, then, was it withdrawn? It was said that it was connected with other clauses; but he ventured to say it was not connected with the clauses the right hon. Gentleman had referred to. The objection to the other clauses was with respect to the proposal of the Government for compensation, but the question of compensation had nothing whatever to do with the clause. As the clause had nothing to do with compensation, why was it to be abandoned? As regarded Clause 10, the Government were entitled to say that they regarded compensation as part of that clause; that the two clauses were inseparably united; and that they must be taken the one with the other; but with reference to this clause they could not say anything of the kind. It had never been so treated. At no period of the discussion of the Sunday closing question had the matter been so dealt with. The two questions were treated in the speech of Lord Salisbury at Newport as entirely distinct. Then, he asked, why should they abandon the clause, and why should it be withdrawn from the consideration of the Committee? The Government had admitted that they could deal with one kind of traffic without compensation. For these reasons they asked the Government seriously to consider whether there was any ground on which the clause should be withdrawn, and why they should not agree with Members on that side of the House to carry out what Lord Salisbury called a policy that had been frankly accepted by both Parties in the State? An hon. Member of the House (Mr. Caine) had come forward to make a bitter personal attack upon him because he had requested that the clause should be retained. The hon. Member was a great classical scholar, and he seemed to have borrowed a Latin grammar in order to

assist him in denouncing him as a traitor to the Liberal cause, for proposing that the policy accepted by both Parties in the State should be carried out. The hon. Member held him up as a traitor, and charged him with having invented the County Sunday Closing Bills for Durham and Cornwall. The hon. Member's assertion on that point did not happen to be true, but perhaps he did not think that material. For his (Sir William Harcourt's) own part, he had had nothing to do with inventing the Durham and Cornwall Bills. They came before the House without his knowledge, and he supported them because he thought the proposals which they contained were good; indeed, he should not wonder if they were supported by the hon. Member for Barrow himself. The hon. Member, with admirable consistency, charged him, who, he said, was the inventor of the County Sunday Closing Bills before the House for many years, with having now, for the first time, taken an interest in the temperance cause. The hon. Member said that he had taken up the 9th clause, which he (Sir William Harcourt) had contended for for years, in order to make with it a stick with which to beat the Tory Government. The hon. Member went on to charge him with having taken that course with the object of betraying the cause of Sunday closing. He confessed that he had not been very deeply wounded by these accusations, coming from such a quarter. If he were so in any degree, he had been happily supplied with a salve in the form of an application made to him to preside over a great annual meeting at Manchester of the United Kingdom Alliance. As the hon. Member for Barrow was the Vice President of that Association, he should be happy on that occasion to preside over him. But he would not go on with this subject. There were more things that he could say; but the hon. Member for Barrow knew perfectly well the reasons that withheld him from stating what he thought of his conduct on the present occasion, and from stating facts which might have justified him in pronouncing even a more severe sentence upon the hon. Member. Should he state his reasons? [Mr. CAINE: Certainly.] Then he would do so. His reason was that the hon. Member for Barrow himself advised him to take this particular course, although it was not the advice of the hon. Gentleman which he followed.

MR. CAINE (Barrow-in-Furness): Do I understand rightly the right hon. Gentleman to say that I advised him to take the course he is now taking with regard to this clause?

SIR WILLIAM HARCOURT: Yes.

MR. CAINE: Then I absolutely deny it.

SIR WILLIAM HARCOURT said, all he could say was that he did not put that Notice upon the Paper without endeavouring to ascertain the views of hon. Gentlemen who took an interest in that matter. He went to persons whom he regarded as sincere supporters of the temperance cause and of Sunday closing, to obtain their opinions in regard to the proposal to retain the clause. He confessed he did not go to the hon. Member for Barrow. ["Hear, hear!"] No; he did not go to the hon. Member for Barrow, but the hon. Member came to him. He did not consult the hon. Member as a rule; that hon. Member came to him and offered him his advice, and he listened to it with the greatest pleasure. That advice was, that he should propose the retention of the 9th clause and acquiesce in the abandonment of the 10th clause.

MR. CAINE: I deny having done anything of the kind.

SIR WILLIAM HARCOURT said, he must leave the matter there. There were others who knew that what he was stating was accurate. He must apologize to the Committee for having occupied so much time with the hon. Member for Barrow. But it was impossible for him to pass over the statement he had made without notice. He would merely state further in reference to the hon. Member for Barrow that, having offered him that advice, he went to one of those secret meetings whose proceedings were always published, and having changed his opinions he sat down without one word of communication with himself and denounced him as a traitor to the temperance cause. Now, that was the real position of this matter. What they had to consider was not what the hon. Member for Barrow had said, but what was the best thing to be done in the interest of the Sunday closing cause. Now he ventured to point out that the 9th clause stood upon its own merits apart from

all other questions—that was to say, from the questions of licensing and compensation. If the Temperance Party were united they could unquestionably carry this clause, and it was only through the operation of that powerful engine of Caucusing—that piece of political machinery which the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) so much advocated—that the clause was in danger. Of course, if the clause were passed the Government would not abandon their Bill. Why should they, merely because their own clause had been passed which they necessarily approved of and which the rest of the House approved of? Therefore, as they would not abandon the Bill, those who desired it would get the clause and the provisions which it contained. The question was, what was going to happen if they did not pass the clause? They had heard something of people not supporting the proposal because they were offered something else. They were offered a debate on the Bill of his hon. Friend the Member for South Shields (Mr. J. C. Stevenson). He wished to speak of his hon. Friend with that respect which he deserved from everybody who had the interest of temperance at heart. His hon. Friend was the veteran of Sunday closing; he had brought forward his Bill over and over again. They knew very well what was meant by all that; it meant that a certain number of hon. Members wanted to give a bogus vote; that it was highly inconvenient to them that a genuine, honest vote for the temperance cause should be given; and it was on that account that the injurious machine of the Caucus had been devised. He would now inquire what was to be substituted for the clause, which hon. Members could carry if they wished, and which if they did carry would have this effect—that Durham, Cornwall and all the counties that wanted it would have Sunday closing at once under the operation of the Bill now before the Committee? To carry the clause was to carry the Durham Bill and the Cornwall Bill. He had shown what might happen if they were earnestly endeavouring to further the temperance cause, and how easily they might forward that cause by keeping this bird in hand. But he asked what about the bird in the bush? They were going to have a debate on the Bill of the hon. Member for South Shields, as the right hon. Gentleman the President of the Local Government Board had graciously promised. His hon. Friend the Member for the Cockermouth Division of Cumberland (Sir Wilfrid Lawson) who was a cautious man—and it was quite right to be cautious on these occasions—had asked whether the Government were going to support that Bill? Were the Committee to understand that Her Majesty's Government were going to vote in favour of the Bill of the hon. Member for South Shields? They would like to have some information on this subject before they accepted the offer of the right hon. Gentleman as a substitute for this clause. Again, no one could speak with greater authority on the liquor question than the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain). Was the right hon. Gentleman going to support the Bill of the hon. Member for South Shields?

MR. J. CHAMBERLAIN (Birmingham, W.): Yes; I am.

SIR WILLIAM HARCOURT: Very well. Would the right hon. Gentleman guarantee that the Government, whose mainstay he was, would carry that Bill through the House of Commons, and through the House of Lords? If he would say that, then he would withdraw what he had said at once. He would like to know whether the noble Lord the Member for the Rossendale Division of Lancashire (the Marquess of Hartington) would also go bail for the Government? This was an important case, and they had a right to two bails. If the right hon. Gentleman the Member for West Birmingham and the noble Lord the Member for Rossendale would go bail for the Government that they would carry the Bill of the hon. Member for South Shields through during the present Session, he thought they might well agree to drop the 9th clause on that understanding. But the difficulty in his own mind was that the principle of that Bill was the very thing that Lord Salisbury said he could, under no circumstances, agree to. There were various other proposals that Lord Salisbury would consent to, but he said that under no circumstances would he admit universal compulsory Sunday closing for England. That being so, he thought that the bird in the bush stood in a very uncertain position; it appeared

to him that it had already flown away, and that they would be foolish beyond all comparison if they were to accept such a substitution for a proposal which, if adhered to, might be carried into law during this Session. He was entirely against the proposal for giving a bogus vote in a matter of this kind. Let the Committee have a genuine downright temperance vote on this clause, and then they would know where they stood. They had seen the ingenious device before of pretending to do one thing when it was intended to do exactly the opposite. This clause had to be voted against, because it was known that if it were carried the Bill of the hon. Member for South Shields would have to be supported. The people of England, and even the Temperance Party, were not so stupid as not to see through a device of this character. They knew that it was not in the cause of temperance that the hon. Member for Barrow had written the letter he had referred to; it was for a very different object, and they thoroughly understood that he was the instrument of a very different policy. He, therefore, entreated the Government to have nothing to do with this Caucus. It was not their affair—they were entirely guiltless in respect of it. They had, he believed, proceeded in a perfectly fair manner in this matter, and they had nothing to do with this device of hocus-pocusing. What he pressed upon the Government was that they should allow this part of the Bill to stand. By doing so they would carry with them the greater part of the Temperance Party in the country; and they would give to each part of the community power to deal with a matter of great interest to itself in a manner most conducive to its interests. It might be said that there would be a law in one place different from the law in another. That would be so; but he pointed out that they had a different law in Scotland from that which obtained in Wales, and it was a very good thing that it was so, because if the clause were retained, and Cornwall, for instance, should wish for Sunday closing, it could have it, while if, on the other hand, London did not wish for Sunday closing, it need not have it. They should not attempt to impose an inflexible law of this kind upon an unwilling people, thereby destroying a principle to which a great deal of importance was attached. He hoped the clause would be supported on this occasion, and he could not conceive why the Government should object to it, because the question had not only been dealt with in the Bill, but Lord Salisbury had treated the question of Sunday closing as being entirely separate from the questions of licensing and compensation; and it was upon that footing that he ventured to suggest that this question should be dealt with. He made no other proposal; he did not desire to press the Government with reference to the subsequent clause; he admitted the fairness of the argument that its provisions were inextricably mixed up with the question of compensation. He did not raise that question; he desired to confine the matter solely to the principle of Sunday closing; and, for the reasons he had stated, he hoped the Committee would agree to his proposal to retain the 9th clause of the Bill.

MR. CAINE said, the Committee would not be surprised that he should endeavour to follow the right hon. Gentleman and give some explanation as to the charges brought against him. He had noted his own record in this matter with some care ever since he took up the agitation against these clauses. He had not the slightest recollection of ever having consulted the right hon. Gentleman with regard to Clause 9; and he must say that if every chance conversation which took place was brought forward in the House of Commons and used as a means of discrediting opponents, it seemed to him that a fresh terror had been added to the debates in that House. He could only give the right hon. Gentleman's charge the most unqualified contradiction. There had been only one occasion on which he had ever wavered in the least with respect to this particular clause, as well as the rest of the Licensing Clauses of the Bill, and that was at a meeting of the Temperance Committee of the House of Commons, at which 24 Gentlemen were present out of a Committee of 120. The Committee met a week or two ago and discussed this question. His hon. Friend the Member for South Tyrone (Mr. T. W. Russell) had expressed his intention to strongly oppose this clause. His own views were perfectly well known to hon. Gentlemen upon the Committee, and he had then stated that if it could be shown

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that there was a consensus of opinion on the part of the Temperance Party in favour of the retention of this clause he would sink his own views and support it on its own merits. That was the only occasion on which he had given a hint that he should support the clause. He did not pretend to be the equal of the right hon. Gentleman the Member for Derby, either in debate or in invective; but he would like to refer to the attacks which he and other hon. Members, as well as the newspapers of the right hon. Gentleman's Party, had made upon him personally, and various Members of the Liberal Unionist Party, saying that they had made a bargain to sacrifice Sunday closing in the interest of the Government and the Party to which they belonged. The right hon. Gentleman said that the country hailed the 9th clause with satisfaction. He opposed the clause on its own merits, and, in refusing to vote for its retention in the Bill, he had consistently adhered to the position which he had originally taken up. In taking that line, he maintained that he had been fully supported by the main votes of the Temperance Party, from John O'Groat's to the Land's End. [*Cries of* "No!"] In March last the annual meeting of the National Temperance Federation was held, at which there were 24 delegates present, representing a total membership of 3,000,000 or 4,000,000 of persons, old and young. He was President of the Body, and many Vice Presidents of the organization present to-night in the House were present at the meeting. The Annual Report had been previously circulated, and it contained a paragraph in reference to the Bill of the hon. Gentleman the Member for South Shields to the effect that the organization was against relegating this question of Sunday closing to Local Bodies, inasmuch as the country was fully prepared for an Imperial measure of Sunday closing. All those present voted for the adoption of the Report, and not a single one said a word against the recommendation contained in the Report. The Central Association for stopping the sale of intoxicating liquors on Sundays were very glad to welcome so distinguished a recruit as the right hon. Gentleman the Member for Derby. The right hon. Gentleman had not always been in favour of Sunday closing; he had been recently converted on this as upon a great many other questions; but, highly as he valued his opinion, he thought that the expressed opinion of the organization which had this particular question at heart was of much greater value. That Association had been holding meetings all over the country on this subject, and what did it say? In May, 1888, the Association passed a resolution, after the second reading of the Bill and before there had been any talk about withdrawing the clause, to the effect that it was most important that no opportunity should be lost of impressing upon Members of Parliament the fact that the country had long demanded total Sunday closing, and they protested against the delay and inconvenience which must arise from referring the question to the proposed Local Authorities. He would like to read a resolution which had been passed with regard to these clauses at every meeting throughout the crisis. It was to this effect—that it was a question which need not be referred to localities for decision as proposed in the Local Government Bill, inasmuch as public opinion was already ripe for Imperial legislation. The right hon. Gentleman the Member for Derby objected to the word "Imperial." He was not surprised at that, but the words "Imperial legislation" were in constant use as applied to Sunday closing, and signified the action of the Imperial Parliament as opposed to Local Option or the action of Local Bodies. The resolution also urged upon Her Majesty's Government—and he hoped that the Committee would note this—to give special facilities for passing the Bill of the hon. Member for South Shields (Mr. J. C. Stevenson), as it was in full harmony with other legislation which had been attended with beneficial results. He hoped that the hon. Member for South Shields was going to stick to this legislation and not throw it over. It was all very well for the right hon. Gentleman the Member for Derby to hold him up to ridicule as a traitor to the temperance cause. He was loth to speak of himself, but he had been more active in his opposition to the Licensing Clauses of the Bill than any Member—perhaps he might say than any 10 Members in that House. He had attended 32 meetings, and in every

one he had advocated the withdrawal of this 9th clause with the others, on the ground that the Licensing Clauses were a thoroughly bad Licensing Bill stuck into the middle of a good Local Government Bill, and that they ought to be withdrawn. But he had always pointed out that the Temperance Party demanded total Sunday closing by Parliament, and not the ridiculous sham of this clause. But it was now contended that the Temperance Party had changed their minds. The Temperance Party had changed their minds many times during the discussion of these clauses, and he was not surprised, because circumstances had changed, and as circumstances changed opinion changed also; but he denied that the Temperance Party were desirous of retaining the 9th clause. The Chairman of the Church of England Temperance Society —[*Laughter*]—hon. Members might laugh, but the Chairman of that society had rendered services to the cause of temperance second to none—the Chairman had stated that their strong support would be given to the Bill of the hon. Member for South Shields, and that they had always held that Sunday closing was properly an Imperial question. He had himself presided last week over a meeting of the National Temperance Federation, at which most of the federated bodies had been represented; no one could be induced at that meeting to move a resolution in support of the clause lest it might work badly and impede the Bill which they hoped to secure. The Grand Lodge of the English Good Templars had met last Friday and declared against Clause 9, and in favour of the question being fought out on the Bill of the hon. Member for South Shields, although nobody thought then that the Liberal Unionists could get facilities from Her Majesty's Government for the discussion of that measure. He would now read an extract from *The Birmingham Daily Post* of the 22nd of June. He was glad that the right hon. Gentleman the Member for Derby was so far advanced as to be invited to the meeting of the United Kingdom Alliance for the Total Suppression of the Liquor Traffic. He congratulated the right hon. Gentleman and the House upon that, and he hoped the right hon. Gentleman would stand firm upon that question, and not go through the same gyrations he had gone through with regard to Sunday closing. In *The Birmingham Daily Post* there appeared a resolution of the Birmingham branch of the United Kingdom Alliance, which was one of the most energetic in the country, and worked not only in Birmingham, but all over the Midlands. They had expressed their conviction that the provisions of the 9th clause were perfectly inadequate to meet the evils of the sale of liquor on Sunday, or to satisfy the already registered wishes of the people on this subject, and they therefore strongly urged Members of Parliament to support the Bill of the hon. Member for South Shields. That resolution had been passed on the day before the Liberal Unionist meeting was held. He would like now to ask a question, to which he trusted an answer would be given. He pointed out that the agitation against the Licensing Clauses had been a purely non-Party agitation until the Government proposed to withdraw them, and now a new agitation had set in, conducted in the name of the Temperance Party, for their retention. How was it that the attempt to retain this clause had not been made by the hon. Member for South Shields, or the hon. Baronet the Member for the Cockermouth Division of Cumberland, or some recognized Leader of the Temperance Party? How did it come into the hands of that political lurcher, the right hon. Gentleman the Member for Derby? The right hon. Gentleman had lately had a passion for posing as the leader of movements he was wont to oppose. The right hon. Gentleman had given an account of a fancy conversation in the Lobby with himself. He would now come to a real conversation which took place.

SIR WILLIAM HARCOURT asked, would the hon. Gentleman say that at a meeting of his Federation he did not report as the ground of his action his conversation with him?

MR. CAINE said, he stated that he did not approve of this particular clause, and, as Chairman, he endeavoured to elicit information. He asked if any member was ready to move a resolution in support of the clause?

SIR WILLIAM HARCOURT said, he asked whether the hon. Member reported to that meeting the conversation which he stated he had with him?

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Mr. CAINE said, he was endeavouring to explain, in the first place, what was his action at the meeting. If the right hon. Gentleman would not allow him to answer the question in his own way, he would not answer it at all. His action was, as President of that Association, to find out whether or not it was in favour of the 9th clause. He had expressed his own views clearly enough, and no one present could doubt what they were. He had no recollection whatever of having referred to the right hon. Gentleman's name. He did not deny that they might have discussed the subject, but he had no recollection of it. But, certainly, he had never taken the advice of the right hon. Gentleman as to what action either himself or anyone else should take. He had never consulted anybody; he had taken his own line, as he always did on political questions. He had pointed out that the right hon. Gentleman was in the habit of posing as leader of movements which he was wont to oppose. The other day he found the right hon. Gentleman heading a procession of those who were voting against Disestablishment; in fact, he was posing in his favourite character of Uncle Pumblechook. The right hon. Gentleman had the effrontery to come to him in the Lobby—who had been in favour of Disestablishment ever since he had cut his teeth — and congratulate him on having given a vote in favour of Disestablishment, and yet it was the first vote ever given in that House by the right hon. Member for Derby; and now the right hon. Gentleman threw his mantle of patronage over the Temperance Party. In June, 1880, the hon. Member for South Shields moved that in the opinion of the House it was expedient that the law which limited the hours of sale of intoxicating liquors on Sunday in England and Wales should be amended and applied to the whole of that day. The right hon. Gentleman voted against that. On the next occasion, the 30th of May, 1883, when the County of Durham Bill was brought forward, he supported it. Now the right hon. Gentleman was in favour of Local Option, and he was also in favour of the question being referred to the new County Council which was to be elected for 20 other purposes, and which could vary and repeal their orders. As far as he was concerned, he had always stood by Imperial Sunday closing. They had it in Scotland and Wales, and they intended to get it for England. He wanted to appeal to all true friends of temperance to allow this clause to go with the others. There was no finality in it; the Council might enact it, but they might rescind it; the fight would be interminable, and at every successive election. Rightly or wrongly, he believed that they were on the verge of victory under the old flag and on the old battle-ground; the Government had pledged to meet them on that battle-ground, and he asked nothing more from them. He believed that they would carry by a good majority the second reading of the Bill of the hon. Gentleman the Member for South Shields. He hoped that all temperance men in the House would resist the temptation of this dubious proposal, and let it go into limbo with the rest of the Licensing Clauses of the Bill. But, before he closed his remarks, he desired to point out that if this solution of Sunday closing was accepted and universally applied, and the Bill went through on other grounds, it will result in a loss of revenue to the County Councils of £300,000, in consequence of the publicans only having to pay for a six days' licence. This would give a very strong bias to many ratepayers in the selection of their representatives for the County Councils, and he warned the Government that the proposal to transfer the licence revenue from the Imperial to the Local Exchequer would meet with the uncompromising hostility of the whole Temperance Party. He was much obliged to the Committee for the patience with which they had listened to him. He was sorry he had had to enter into a collision with the right hon. Gentleman the Member for Derby. He had given, as well as he could, the purport of the conversation which took place between them, and he had nothing more to say upon it.

Mr. JOHNSTON (Belfast, S.) said, he would not have trespassed upon the attention of the Committee did he not feel bound to corroborate the hon. Member for Barrow (Mr. Caine) in the statement he had just made. The Temperance Committee of the House of Commons, of which he (Mr. Johnston) was one of the secretaries, held a meeting in one of the Committee rooms upstairs to discuss the Licensing Clauses

of the Local Government Bill. The meeting was presided over by the hon. Baronet the Member for the Cockermouth Division of Cumberland (Sir Wilfrid Lawson), and the hon. Member for Barrow (Mr. Caine) was also present. The discussion was as to what should be the action of the Temperance Party in the House of Commons in regard to the whole of the Licensing Clauses of the Bill, and after a lengthened discussion, a resolution was unanimously come to that the hon. Member for South Salford (Mr. Howorth) should be supported in the proposition to omit all the Licensing Clauses, including Clause 9, which was considered to be the means of carrying out the views of the Temperance Party. What other meetings had taken place, what other decisions had been come to since that meeting at which he was present, he did not know. Armed with the decision of that meeting to which he had referred, he came here to give his most cordial support to the Government in withdrawing Clause 9, as well as the other clauses of the Bill dealing with licensing. He thought it right he should ask the kind indulgence of the Committee in order that he should make this brief statement, because, as a long and consistent advocate of Sunday closing, he entirely agreed with the recollection of the hon. Member for Barrow, and with the statements he had made as to the views of the Temperance Party. None was a more consistent or stronger supporter of Sunday closing than himself; but he desired to see an Imperial measure passed in order to carry out in England the same system that prevailed in Scotland, Ireland, and in Wales, and believing that this clause would not effect that end, he heartily supported the proposition of the Government to strike out Clause 9, as well as the other Licensing Clauses in the Bill.

SIR RAINALD KNIGHTLEY (Northants, S.) said, the right hon. Gentleman the Member for Derby (Sir William Harcourt) had indulged in that peculiar style of argument for which he was so justly celebrated; it used in former times to be called banter, but now-a-days it was called chaff. Personally, he failed to find in the speech of the right hon. Gentleman a single grain of solid reason why this clause should be retained. This clause unquestionably dealt with licensing, and it had been determined by the Government to withdraw the whole of the Licensing Clauses. This clause, therefore, must go with the rest. He quite agreed with the hon. Member for Barrow (Mr. Caine) that if Sunday closing was good, and if it was to be adopted, it ought to be adopted for the country as a whole. The divergent decisions of County Councils upon the matter could not be viewed with complacency, and it seemed to him contemptible that hon. Members should endeavour to shift the responsibility of dealing with a complicated and difficult question from themselves to the new County Councils. The main objection he had to this clause was, that it would seriously affect the constitution of the County Councils. The great object they ought to have in view was, to obtain the very best men to serve on the County Councils. There were in many counties, he believed in every county, a certain number of men specially well qualified to transact the business of County Councils. If this clause were struck out, his opinion was that in the great majority of cases these persons would be elected to the Councils. But if this clause were retained, he defied an Archangel from Heaven to bring into relations of amity the teetotallers and the licensed victuallers. Many of the best men in the counties would not offer themselves for election because of the introduction of these questions, and the counties, therefore, would lose the benefit of their valuable services.

SIR WILFRID LAWSON (Cumberland, Cockermouth) said, he must ask the Committee to allow him to say a few words in regard to the proposal to withdraw this clause, and with respect to the position in which they found themselves. His right hon. Friend the Member for Derby (Sir William Harcourt) put the matter exceedingly clearly before the Committee. He (Sir Wilfrid Lawson) considered that this clause was a most valuable clause in the Local Government Bill; it was a clause to give the communities of the country an opportunity of getting rid, for one day at least, of the evils of the drink traffic, where public opinion was strongly in favour of that course. He assured the Committee that, notwithstanding the

opposition of his hon. Friend the Member for Barrow (Mr. Caine), he should give the clause his most earnest, most hearty, and most strenuous support. In saying that, he hoped the Committee would understand that he did not support the clause on what was called Sabbatarian grounds. He believed the Sabbath was made for man, and not man made for the Sabbath. He did not believe the Sabbath was made for man to get drunk on. He agreed with the Bishop of Peterborough, who had said that in his opinion every day was the Lord's day, and, therefore, every day they ought to see that order and decorum was carried on. He (Sir Wilfrid Lawson) was quite consistent in this matter. He remembered that very soon after he came into the House there was a Sunday Closing Bill introduced, and he ventured to make a speech upon it, one of the first speeches he ever made in the House. When he sat down, Sir George Grey, who was then Home Secretary, got up and opposed the Bill. Sir George Grey was good enough to say that his (Sir Wilfrid Lawson's) was one of the best speeches which had been made upon that occasion, and added that its logical conclusion was that the liquor trade ought not to be stopped on Sunday alone, but on every day. That was exactly what he wanted Sir George Grey to understand; but then it did not follow because he was right and logical that his view was carried or had been carried out. They must always remember the great maxim laid down by Mr. Disraeli, when he said—"We must remember that this country is not governed by logic, but by Parliament." He thought that to carry out the principle of saving the people from the evils of the drink traffic even for a very short time, was right and proper. He should prefer a clause allowing the trade to be stopped on Saturday, because he believed that there was more evil done to working people by drink on the Saturday, when they had money in their pocket. This clause certainly went a little way in the right direction, and he should follow the plan he had always laid down for himself in the House, and he thought it was a right plan—namely, to take what he could get. A good example of that sentiment was afforded by the case of a man who went to be married. When the man was asked, "Wilt thou have this woman to be thy wedded wife?" he said, "I am willing, but I would rather have had her sister." He (Sir Wilfrid Lawson) was not like the hon. Member for Barrow (Mr. Caine), who would not take either; he was willing to take this clause, although he would much rather take an Imperial Act if it were possible to get it. Now, how did they stand in regard to the history of this clause? When the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) brought in his Bill on the 19th March, he found it necessary to do something in the Bill to meet the general demand which had arisen in the country—to do something in the direction of what was called temperance legislation. What was the meaning of temperance legislation? It had no other meaning except to diminish the temptation to drink; it could have no other meaning, and they had been promised something in that line for years and years past. Right hon. Gentlemen on this side of the House, as well as those on the other side, had asked them to wait until the Local Government Bill was brought in, and then they would see what they would see. Right hon. Gentlemen had often said they were going to deal with the whole question; he was always suspicious of that. Whenever he heard any Statesman say he was going to deal with the whole question, he always thought he meant that he was going to delay the whole question. The right hon. Gentleman the President of the Local Government Board had made an attempt to deal with the question—and he gave him credit for his attempt—according to his lights; they were not very good. The right hon. Gentleman brought in his Bill, and intimated that he intended to do something in the way of temperance legislation. Now, he (Sir Wilfrid Lawson) had pointed out that temperance legislation meant diminishing the facilities for getting drink. On the 19th of March, however, the right hon. Gentleman came down to the House, and told the temperance men that he was going to do something for them; but then he said, with some show of triumph, that he intended to place the drink sellers on a more secure footing than they were at present. His (Sir Wilfrid Lawson's) friends were at once up in arms, be-

cause every temperance reformer, philanthropist, and worker among the poor had for years past been trying to put the publicans on a less secure footing. The right hon. Gentleman had very temperately stated that the country rose against his scheme, and that he found it impossible to carry it out. The agitation had settled the question of compensation, for this Parliament at any rate; but he begged the Committee to remember that the principle of compensation had never been withdrawn by the right hon. Gentlemen opposite; they were only waiting the opportunity of adopting it; at least they had never said the contrary, and, therefore, temperance men must look sharp after them. He hoped he was not travelling over ground which had been already covered; it certainly was very difficult to say anything fresh upon the matter after the exhaustive speech of the right hon. Gentleman the Member for Derby, but let him point out again that this clause had nothing to do with compensation. Remember that it was intended that if this Sunday Closing came into force there should be an equivalent reduction in the duty paid by licence holders. And remember, too, that this clause came in the Bill long before the Compensation Clause. This was a separate clause altogether; it did not deal with licences, but it simply said that when the County Council was appointed it should have the power to deal in a certain way with what it might consider a nuisance. He was not speaking too strongly when he called a public-house a nuisance, because *The Edinburgh Review*, a most respectable paper, had described the drink traffic as a nuisance, socially, morally, and politically, and the right hon. Gentleman in this clause provided the community with power, through its representatives, to abate the nuisance when they wished to do so. What he had to ask the Government was this. If they considered the County Councils competent to take upon themselves the abatement of nuisances on the 19th of March, what had happened since that they should come here and say they were not now competent to abate nuisances? He thought there was more reason now than there was on the 19th March why the County Council should have this power. Everything had been taken out of the Bill; now it was only a skeleton Bill, and everybody was wondering what the County Councils would have to do when they were elected. It had got to be a laughing stock; the House devoured a bit of the Bill every day. He had been exercised in his mind to find out why the Government had changed their views upon this matter, and he had come to the conclusion—he did not think it was possible to come to any other conclusion—that they felt obliged to do it because they thought that if they left this clause in the Bill it would tend to the injury of the great drink interest. In order to retain the support of the great drink interest, the Government said—"We will abandon the provision which three months ago we said to be wise and just." He thought that the public were openly in the face of day sacrificed for the publicans. In order that the Government might retain the support of the publicans this Committee was called upon to reject the prayer of the working classes. The Government were about to abandon their own offspring, and refuse the petition of almost all the temperance bodies of the country. Now, his hon. Friend the Member for Barrow quoted some resolutions passed by different bodies. He (Sir Wilfred Lawson) desired to show that even what were called the least extreme temperance bodies were in favour of retaining this clause. For instance, this was what the legislative sub-committee of the Church of England Temperance Society passed some days ago—

"That this meeting of the legislative sub-committee of the Church of England Temperance Society approves the retention of Clause 9 of the Local Government Bill."

Now, he would read a sentence which came afterwards, for the benefit of his hon. Friend the Member for South Belfast (Mr. Johnston). This was the sentence which appeared in *The Church of England Temperance Chronicle*—

"In any case it was understood that Members of Parliament could not be bound by any resolution of the sub-committee."

What a splendid resolution was it not? They virtually said—"Let us go to war, only let us take care that no soldiers fight. No one else may fight except the people who have no opportunity of doing any good." He had with him a quotation from a speech of Lord Salisbury, but he would not waste the time of the Committee by reading it, because

the right hon. Gentleman the Member for Derby had read it at length. It was quite clear, however, that Lord Salisbury laid down the very principle of this clause in the celebrated Newport speech, in which he expounded the policy of the Conservative Party. He supposed that, in spite of all this, hon. Gentlemen opposite would very naturally follow their Leaders. The rank and file of the Tory Party had determined to throw out this clause; they would follow their Leaders, and the Leaders were acting according to the bidding of their masters. This was what happened a few days ago. There was an aggregate meeting of the trade held in St. James's Hall. Lord Burton was in the chair, and this resolution was passed—

"That this meeting earnestly protests against the Amendment placed on the Paper of the House of Commons by Sir William Harcourt asking for the retention of Clause 9, which introduces the principle of Local Option in respect to Sunday Closing."

He had no doubt that no sooner was that resolution passed than it was sent off post haste to the right hon. Gentleman the Leader of the House (Mr. W. H. Smith), and that then he got his marching orders and gave orders to the rank and file as to what they were to do. What Lord Burton and his friends substantially said, was—"Look here, we have assembled 3,000 drink sellers. Does not that compare grandly with all the thousands of rag-tag and bob-tail who assembled in Hyde Park the other day?" The Government agreed, and they said—"We will go for the Basses, and not for the masses." Now, he had done with hon. Members on the opposite side of the House, to whom he gave every credit for their motives, but there were other people in the House beside Tories. He had seen it stated, he believed correctly, that there were in the House 57 Liberal Unionists and Tories who had supported in some shape or other Sunday closing, and among them were his hon. Friend the Member for Barrow (Mr. Caine) and his hon. Friend the Member for South Tyrone (Mr. T. W. Russell). He would not say anything about the hon. Member for South Tyrone, because he was not present; he was down in the Isle of Thanet supporting Mr. James Lowther in the interests of true temperance. He wondered his hon. Friend the Member for Barrow did not go with the hon. Gentleman; he thought that if they had both gone the Gladstonians would have won the election for a certainty. But what was the fight in the Isle of Thanet? Why, it was the old fight, the old issue, the National Church and the national beverage against national justice and national morality. If the hon. Member for South Tyrone was as successful as he wished to be with his promising temperance candidate, next week he would return, bringing his sheaves with him, and rejoicing the hearts of the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) and of the Bishops and of the Basses, and of the rest of them. The hon. Gentleman the Member for Barrow had not gone down to Thanet; but he had stayed at home to write letters. The hon. Gentleman said, in his letter to *The Times*—

"If this clause becomes law, it will undoubtedly be considered a final settlement of the Sunday Closing controversy, so far as Parliament is concerned, until it has had a fair trial throughout the country."

Who were going to consider it a final settlement? Not he; that was not his policy; he believed in no final settlement until justice was done. His policy was the policy of the old Scotch Member, who said to his son, when he asked what he was to do when he got into the House—"Tak a' ye can, and be aye complainin' ye canna get mair." Then in this wonderful and historical letter, the hon. Member went on—

"If the Government will give an honest and workable opportunity to Mr. Stevenson to take a Division on the second reading of that Bill, by which the Temperance Party has always stood, that Party will act wisely in its own interests to let this dubious 9th clause go by, and endeavour to get such a majority on Mr. Stevenson's Bill as will secure its passing into law next Session."

Next Session! Where did the hon. Gentleman expect to be next Session? [Mr. CAINE: Here.] Then, again, he went on—

"We are asked by Sir William Harcourt to abandon those proposals for Imperial Sunday Closing."

Nothing of the kind. They might be asked, but they would not accept it; they simply would accept this as an instalment. There was a great difference between a compromise and an instalment, and he thanked the Government very

heartily for this instalment. Further, the hon. Member said—

"For myself, I intend to stand by Imperial Sunday Closing, and let the whole of the Government proposals in regard to licensing go into limbo together."

And then, having exhausted his English, the hon. Member turned to Latin. He quoted two Latin sentences; one he (Sir Wilfrid Lawson) did not understand; the other one he did, because it was one of the oldest established quotations. It was, "*Ti-meo*—or *Tim-eo*"—[*Laughter.*] He was quite prepared to admit that although he could read the sentence, he could not pronounce it. He believed the translation was—[*Cries of* "Read."] Well, he would try again—*Timeo Danaos, et dona ferentes.*" It was, at any rate, a very good quotation, and very applicable in many cases. He knew very little Latin; but he knew two words, and, after reading the letter, he was disposed to say, with reference to the hon. Member for Barrow, "*Cave canem*"—beware of him indeed! What did all this mean? What did all this talk about taking a vote on the second reading of the Sunday Closing Bill mean? There was no pledge to carry that Bill. The right hon. Gentleman the Leader of the House was a wily man. He was not to be drawn by him (Sir Wilfrid Lawson) the other night. The right hon. Gentleman said—"I must wait and see what I shall see." He (Sir Wilfrid Lawson) knew perfectly well what he should see. The hon. Member for Barrow was reckoning without his host when he talked about getting the Bill through the House; there was another Body to be reckoned with—the irremovables. His hon. Friend the Member for Barrow knew as well as he did that it was part of the very religion of "another place" to provide drinking facilities for the people on Sunday. The hon. Gentleman had given up a certainty—it would have been a certainty if the hon. Member and his Friends had voted for the clause—for a shadowy promise of the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith). Now, he (Sir Wilfrid Lawson) looked upon this night as a great night in the history of the temperance movement. For the first time in the history of that movement they had one of the leading men of the real Liberal Party getting up at that Bench, and in an able speech making a movement in the direction of real temperance. When he heard the right hon. Gentleman the Member for Derby, he remembered what his right hon. Friend the Member for the Bridgeton Division of Glasgow (Sir George Trevelyan) said many years ago at a meeting he (Sir Wilfrid Lawson) attended. He had never forgotten it. The right hon. Gentleman said—

"It is written, and the writing cannot be effaced, that the Liberal Party must become the Temperance Party,"

and to-day they saw, for the first time, a promise of the fulfilment of that prophecy. If—because right hon. Gentlemen on the Front Opposition Bench did not go so far as he could wish them to go—he were to upbraid them because they were not up to his mark, he could not conceive a course more silly, more senseless, or more suicidal. Did not his hon. Friend know the maxim in the House, never lose a stage, because if you lose a stage of a Bill the chances are that you will never see it again. He quite agreed with the right hon. Gentleman the Member for Derby that a clause in the hand was worth any number of Bills in the bush. If he could believe that this proceeding, this piece of tactics on the part of hon. Gentlemen, was taken with the desire, as the right hon. Gentleman the Member for Derby hinted, that they might have an opportunity of seeming to be voting for temperance while they were really taking care it was not carried, he should think the manœuvre was clumsy and contemptible. But he did not make such a charge against them, because he knew the Unionist Party were pre-eminently men of honour. He never read their speeches without thinking that they were honourable men above all honourable men who had ever lived, and that they were going through a species of martyrdom in defence of principle, because these high-minded men sat here night after night, surrounded by Radicals and assassins, which they could only do because they were prompted by the highest sense of duty. That being the case, he was sure that they were taking a most honourable course; and all he said was, that their innocence of the ways of the world and their ignorance of the habits and proceedings of this House was perfectly appalling. He asked them, even now, to take a wiser, and more considerate,

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and more patriotic course; he asked them to listen to the entreaties of their fellow-countrymen that something should be done to mitigate the great curse of drink. He asked them to listen more to those entreaties than to the ukase of Lord Burton at St. James's Hall. The right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain)—he hoped the right hon. Gentleman would enlighten them in this debate—spoke noble words at a great meeting held at a time when the right hon. Gentleman and he (Sir Wilfrid Lawson) tried to do right together. The right hon. Gentleman said—

"It is the right of the community to have absolute control over a trade which directly affects their moral, social, and physical interests."

Was the right hon. Gentleman going to say now that these County Councils should not have even the limited power of control which was proposed in this Bill? The right hon. Gentleman also said in that speech—

"A priest-ridden nation is a nation very much to be pitied, but a publican-ridden nation is a nation very much to be despised."

If he might give the right hon. Gentleman a little bit of advice, he would say that if a statesman despised a publican-ridden nation, it was just possible that the nation might despise a publican-ridden statesman. He thanked the Committee for having heard him so patiently, and he had only to say, in conclusion, that he believed that they would be only taking a wise and moderate and prudent step, if they retained this clause in the Bill, and thus entrusted the English communities with that power of getting rid on the "best of days of the worst of trades," a power which was now enjoyed by the people of Ireland, Scotland, and Wales.

SIR WILLIAM HOULDSWORTH (Manchester, N.W.) said, he should not have risen to take part in the debate if it had not been for the reference the hon. Baronet (Sir Wilfrid Lawson) had just made to the resolution which was passed by the legislative sub-committee of the Church of England Temperance Society. He understood the hon. Baronet to state that there was a large number of Members of Parliament present at the meeting at which that resolution was passed. As a matter of fact, there were only seven persons present, of those only three were Members of Parliament; the resolution, too, was only passed by a majority of one, four voting for it and three against it. That, he thought, completely answered the argument of the hon. Baronet founded upon that resolution. He was quite free to admit that the Church of England Temperance Society, if it was consulted as a body, would probably be divided upon the desirability of retaining this clause as compared with the desirability of supporting the general measure introduced by the hon. Member for South Shields (Mr. Stevenson). But, as a matter of fact, he might state that that Society had never hesitated in supporting the general measure for Sunday closing, in opposition to any measure of Local Option, or any measure leaving the question to the Local Authorities to decide. In the opinion of that Society, a general measure was very preferable to any measure which would act within a small area. He understood the right hon. Gentleman the Member for Derby (Sir William Harcourt) to state that, in his opinion, the better area would be even such a small area as the parish. That was his opinion, but it never had been the opinion of the Church of England Temperance Society, for they believed that as they limited the area for Sunday closing they would increase the difficulties which would arise in the carrying out of the Act, and they would increase the number of scandals against the Temperance cause on the borders of that limited area. Frequent references had been made in the House to the scandals which occurred on the Sunday upon the border line between England and Wales. In Scotland, of course, there was no difficulty, because the border line there was a very small one, and the whole Kingdom of Scotland was under one law. There Sunday closing had acted well, and produced most favourable results. He regretted very much that the opportunity which had been presented to the House by the Government for dealing with Sunday closing in any fashion, and more especially in connection with the other valuable clauses of the Bill dealing with the Licensing Question, should be lost. He would not analyze the various causes which had contributed to that result, but, as one good reason was quite as good as 50, he thought that the want of time—the great amount of time which

would have been occupied in discussing the Licensing Clauses to the detriment of the other parts of the Bill—was quite a sufficient reason for the Government withdrawing these clauses altogether. He did not wish to stand in the way of the Division, but he felt it his duty to state the exact position of matters with regard to the resolution of the Church of England Temperance Society. If, however, there had been an opportunity, he should have liked to have made some other remarks upon various other points bearing on the question.

MR. W. P. SINCLAIR (Falkirk) said, that the hon. Baronet the Member for the Cockermouth Division of Cumberland (Sir Wilfrid Lawson), in his very able and interesting speech, asked a question which was at least deserving of an answer. The hon. Baronet asked what had happened to make the Government change their mind as to the competency of the County Councils to deal with the question of Local Option? Something had happened. It was well known that the Government had been urged to and had withdrawn the whole of the Licensing Clauses. That was the reason why the County Councils were incompetent to deal with the question of Local Option. The right hon. Gentleman the Member for Derby (Sir William Harcourt) was in the habit of astonishing the House by his observations; but he doubted whether the right hon. Genleman had ever given the House more cause for astonishment than to-day, when he said that the 9th clause was not a Licensing clause. Why, Sunday closing involved the reduction of a seven days' licence to a six days' licence, and therefore, whatever might be said as to the merit or demerit of Sunday closing, it could not be said that a clause dealing with the subject was not a licensing clause. The hon. Baronet would not dispute the fact that he and those with whom he acted, had very strongly urged the Government to withdraw the Licensing Clauses. Of course the opposition of hon. Gentlemen was mainly directed against the Compensation Clauses.

SIR WILFRID LAWSON asked that he might be allowed to put the hon. Gentleman right. If the hon. Gentleman referred to the speech he (Sir Wilfrid Lawson) made on the second reading of the Bill, he would find that he distinctly stated that if the Compensation Clauses were left out he should not be able to find fault with the Licensing Clauses.

MR. W. P. SINCLAIR said, that what the hon. Baronet had said did not affect the point that it was urged that the Licensing Clauses, as a whole, should go. Clause 9 being one of the Licensing Clauses, it must go also. It had been stated in the Press that the House had already dealt with licensing in Clause 4; that they had already transferred certain licensing powers to the County Council. Although the word "licence" did occur in the 4th Clause, it merely had reference to the licensing of theatres respecting plays; it did not, in any degree, touch the question whether for the same buildings licences should be granted for refreshments. He had only one other observation to make, and it had reference to the speech of the right hon. Gentleman the Member for Derby (Sir William Harcourt). The right hon. Gentleman seemed to think that those hon. Members who were prepared to vote against the 9th clause being retained, and to vote for the second reading of the Bill of the hon. Member for South Shields (Mr. J. C. Stevenson), were going to give a bogus vote. Speaking for himself and all those with whom he acted, he boldly stated that they meant to vote in the way stated because they thought it was the most effective vote they could give in favour of Sunday closing. They maintained that the analogy of legislation in the past was distinctly in favour of general as opposed to piecemeal legislation. Already Sunday Closing Acts had been passed for Scotland, Wales, and Ireland. It was true that in Ireland certain towns were exempted from the operation of the Act; but those were statutory exemptions, and if it was necessary to have statutory exemptions in England, there could be no difficulty in having such introduced into the Act. He trusted that the present proposal of the Government would be accepted, and that the question of Sunday closing would be dealt with upon the Bill of the hon. Member for South Shields.

MR. T. FRY (Darlington) said, that as he took some interest during the last two Parliaments in the Bill for closing public-houses in the county of

Durham on Sundays, he would like to say a few words upon this clause. In the first place, let him say he did not consider the hon. Member for Barrow (Mr. Caine) had any more right to speak in the House for the Temperance Party than any other Member of the Party who supported temperance legislation. He denied altogether the hon. Gentleman's assertion that the temperance associations throughout the country were in favour of the withdrawal of this clause from the Local Government Bill. The last two speakers seemed to think that this clause must be withdrawn because other clauses were to be withdrawn; but after the speech of the right hon. Gentleman the Member for Derby (Sir William Harcourt) they saw that that was an entire mistake. The question of Sunday closing was entirely and totally distinct from licensing and the question of compensation. The hon. Member for Falkirk (Mr. W. P. Sinclair) made a great mistake in supposing that the Temperance Party had even as a Body asked that the power of licensing should not be transferred to the new County Councils. All that temperance reformers had asked was that the Compensation Clauses should be abandoned. The conduct of the Government in reference to this question was extraordinary in the last degree. When he first read these clauses he never expected they would pass; they were far too good to come from a Tory Government. He thought that nothing so good could possibly come out of the Tory camp. The change in the course taken by the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) was very extraordinary. The right hon. Gentleman said the Government did not shrink from the position which it had taken up, and yet it was shrinking as far as it could. The right hon. Gentleman professed to be very much afraid of the excitement which the introduction of the question of Sunday closing into the elections for the County Councils would cause. It was strange he did not think of that before he brought in the Bill. The right hon. Gentleman the President of the Local Government Board must bear in mind that, even if this clause were withdrawn, the question of Sunday closing would enter into the elections, because the people would feel sure that some day or other the County Councils would be called upon to deal with it. It seemed to him that by this Bill an endeavour was made to give the country hopes which could not be realized. He was reminded that this Government passed an Act for the relief of agricultural tenants, and then they gave power to the parties to contract themselves out of the Act. It was as well that certain Supporters of Her Majesty's Government should be reminded of the part they had taken with reference to the question of Sunday closing. The hon. and learned Gentleman the Member for the Abercromby Division of Liverpool (Mr. W. F. Lawrence), speaking on the 24th of March, 1886, upon the question of Sunday closing, expressed a strong opinion in favour of committing this question to the County Councils. The hon. Member for the Oxford University (Mr. J. G. Talbot) also spoke very strongly in the same direction. In reference to the County of Durham Sunday Closing Bill, the hon. Gentleman asked indignantly, what was to be done for the other counties? He said—"In the name of common sense let us have a comprehensive measure, one relating to the whole country." But now, when a comprehensive measure was introduced, no doubt the hon. Gentleman would be found voting against it. He (Mr. T. Fry) was especially interested in this clause because he had put down one or two Amendments to it. One of his Amendments provided for an earlier closing of public-houses on Saturday nights. There were several Members of the House who had spoken very strongly in favour of the early closing of public-houses on Saturday nights, and no one had done so more strongly than the hon. Gentleman the present Under Secretary of State for the Home Department (Mr. Stuart-Wortley). Speaking on the 2nd of April, 1884, upon the question of Sunday closing, he said he thought it would be far better if their efforts were directed to earlier closing on Saturday when working men had their wages burning in their pockets.

THE CHAIRMAN: The hon. Gentleman is not entitled to discuss his Amendment to the clause at this stage.

MR. T. FRY said, he was only alluding to it as a reason why the clause should be retained in the Bill.

The Committee would remember that measures had been introduced for the adoption of Sunday closing in three Northern counties possessing a population of 4,000,000. There could be no doubt that those counties were as much entitled to those Bills as Monmouth and Cornwall, and he was sorry that Her Majesty's Government had been restrained by the slightest shriek of opposition from doing the good proposed in the clause. He believed, as the hon. Baronet the Member for the Cockermouth Division of Cumberland (Sir Wilfrid Lawson) had said, that it was fear of the publican party which had inspired in the Government a desire to take this clause out of the Bill. The newspaper sometimes termed the "leading journal," that was to say, *The Times*, some days ago had made the monstrous statement that the clause had been inserted in the Bill "for the sole purpose of injuring the publican." He (Mr. Fry) contradicted that altogether. None of them wished to injure the publican *per se*. No doubt the publicans were an honourable class of men, as honourable as other classes, and there could be no desire on the part of anyone to inflict an unnecessary injury upon them. The fact was, in this controversy they did not take any notice of the publican, their desire being to ameliorate the social condition of the people, and to obtain for a large number of persons—something like 300,000—who were now engaged throughout the country in the sale of drink on Sunday, their lawful rest on the Sabbath day. They were acting in this matter from a far nobler and higher motive than a mere desire to do harm to the publican *per se*.

MR. ILLINGWORTH (Bradford, W.) said, he should not treat the deliberate intentions of the Government with such disrespect as to assume that they were not worthy of the consideration of the Committee. The Government doubtless had put this clause in regard to Sunday closing, and the four subsequent clauses having reference to licensing, into the Bill with the intention if possible of carrying them through both Houses of Parliament. In fact, the right hon. Gentleman the President of the Local Government Board had to-night stated, in his explanation of the withdrawal of the 9th Clause and the subsequent clauses, that the Government had a real substantial desire, which they still held to and which they wished to see realized at some more favourable moment, to transfer the licensing powers from the present irresponsible magistrates to the responsible Body, the County Council. If that were so, hon. Members had occasion to ask what could have induced the Government to run away in that extraordinary fashion from their own proposals? He thought the Government had somewhat misunderstood and exaggerated the meaning of the opposition which had sprung up out-of-doors. The whole crux of the matter was this,—he believed that there would have been no opposition whatever on the part of the Temperance Societies throughout the country to the present clause, which he did not regard as a licensing clause, or to the four following clauses, if it had not been for the introduction of the vexed subject of compensation. Now let him (Mr. Illingworth) ask whether it was necessary for the Government to abandon all these clauses? Could they not have made up their minds to abandon the proposal in regard to compensation simply? That was surely a reasonable question to put to the Government; for how did the matter stand as to compensation? It had been urged—at that moment it was stated by the right hon. Gentleman the President of the Local Government Board that the question as to compensation was *sub judice*—that recently decisions had been given by the Courts adverse to the claims of the publicans to compensation in the event of the closing of a public-house, but the right hon. Gentleman had gone on to say that it was likely that the decision would be made the subject of appeal, and for that reason he objected to the discussion of the question. Well, but surely in a Bill of this magnitude they were entitled to ask whether it was necessary for the Government to introduce so vexed a proposal as this with reference to compensation? If, as the law stood, the Government had confidence that the publican had every security he desired for compensation, and that had been the position taken up by the hon. and learned Solicitor General — [THE SOLICITOR GENERAL (Sir Edward Clarke) (Plymouth): No, no!]—if the Government thought the publican had security at present, why did they not leave him in

his present safe position? Why should the right hon. Gentleman the President of the Local Government Board in a Bill of this nature have introduced a proposal which would give the publican a new and increased security? If it did not give additional security, it was more mysterious still why the Government should have introduced this question of compensation, which was so embarrassing to the Bill. Of course, the right hon. Gentleman the President of the Local Government Board declared on the second reading, and stated it broadly as a comfort to the publican interest, that the intention of the Government in drafting the compensation provisions was to give new and increased security to the publican interest.

MR. RITCHIE: That statement has been often repeated during the debate, but has only a certain amount of foundation. The way it is put leads to an altogether wrong inference. What I said was that it had been stated that the effect of the proposals of the Government would be to give additional security—not that it was the intention of the Government to give additional security to the publican, but that it had been stated that such would be the effect. Subsequently I stated in answer to a question put to me in the House, that in the opinion of the Government there was foundation for that statement, because it would protect the publican from the local veto which is proposed by the hon. Baronet the Member for the Cockermouth Division of Cumberland without compensation. In that sense, no doubt, the position of the publican would be better.

MR. ILLINGWORTH said, there could be no doubt whatever that it was very possible to put a wrong construction upon the statement of a Minister in charge of a Bill, but still he must hold the right hon. Gentleman to this—that being a man of common sense and of some experience, and knowing the difficulties they were about to grapple with in the measure, he had held out to the publican interest a superior security as emanating from this Bill to that which it possessed before. He (Mr. Illingworth) again asked the right hon. Gentleman the President of the Local Government Board this question, if the publican had a security under the existing law, why should the right hon. Gentleman have complicated the Bill by placing these clauses in it? He sincerely believed that the right hon. Gentleman's desire was to see brought about a mitigation of the abuses of the liquor law in this country, The Government had been obliged to abandon some cherished clauses of their own. They on that (the Opposition) side of the House, he said, appreciated many of the clauses of the Bill, and would have liked to see them carried out without this unfortunate bar of gold driven into these unfortunate clauses. He would even at the eleventh hour make another appeal to the Government, and would ask them especially as to this 9th clause—and he would press a similar appeal upon them as to the other clauses it was proposed to abandon if opportunity presented itself—to take into consideration the possibility of again setting this clause on its legs. He did not hesitate to say that the Government would meet with such acquiescence on that (the Opposition) side of the House as would render it easy to do as he suggested, if there were a concurrence on the other side of the House, and undoubtedly there would be such concurrence, that the Government would never have brought forward a proposal of this kind without being first assured of the support of the main body of Gentlemen on their side of the House. He might say that there would be absolute unanimity on this question, with the exception perhaps of a few Gentlemen whose intellect he was bound to say was clouded at that moment, and whose conscience he was also bound to say was somewhat seared. He believed, however, that the Government would find this clause received as generously by their supporters in general as the other provisions of the Bill. Even if this clause were now omitted, the right hon. Gentleman the President of the Local Government Board must be perfectly well aware that the whole matter would have to be fought out again, and that the time of Parliament would have to be devoted on some future occasion to the threshing out of the matter. Therefore, there was very good reason why the right hon. Gentleman should adhere to his original proposal, and with the support of both sides of the House carry this clause through. There would be no protracted discussion upon it. They could, at any rate, give the right hon. Gentleman that

assurance. But the right hon. Gentleman had stated a further objection. He had said that it would be an unfortunate thing that the new County Councils, as soon as appointed, should have put before them such a vexed and heated question as this of Sunday closing. Well, if the Government had left the Bill in its original form, he (Mr. Illingworth) could imagine the right hon. Gentleman saying that the County Councils would have had plenty of other subjects to occupy their attention; but as the Bill now stood, with the prospect of its being further lightened, he could not imagine for a moment how the right hon. Gentleman could expect men of business and men who valued their time, and objected to sacrifice it unnecessarily, to come forward and connect themselves with these local Councils at all. He was bound to say this—that if these Councils were to be of any value whatever, they must take up those burning questions that interested the constituencies by whom they were returned on the Councils. What were they for otherwise? It was said that that House had its hands burdened and overburdened, and no doubt that was the case; but they had to take up the question, and they would have in the future to discuss it on its merits, in order that some progress might be made with this Sunday closing question. He thought there was every reason in the world why the right hon. Gentleman should re-consider this point, and if the interval of the dinner hour induced him to say, "Very well, in view of the general concurrence of Members on both sides in favour of the retention of this clause, the clause should not be omitted," he (Mr. Illingworth) was sure that general satisfaction would be felt by all parties. As to the question of compensation, which was unfortunately such a difficult one in connection with this and subsequent clauses, he believed the question stood thus—a sort of bribe to gentlemen who were interested in the cause of temperance to bring about their acquiescence in the provisions which followed. Well, no doubt the great majority of right hon. and hon. Gentlemen on either side of the House were sincerely desirous of putting an end to the evils that arose out of Sunday trading; but the delusion that so many had fallen into in assenting to the proposal of the Government to strike out this 9th clause was that they were to have a discussion upon this question of Sunday closing generally on a Sunday Closing Bill. Well, he desired to know whether the hon. Member for Barrow (Mr. Caine) had any security from the Government that they would give any facility whatever for the discussion of that Bill or any support to a Bill dealing with the subject. The right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) had said that it was his intention to support that Bill. Yes; but something more than that was necessary. If Gentlemen who were anxious on this Sunday closing question were to have any substantial comfort, and the question was to be at all advanced, they should have some undertaking from the Government that both in this House and in "another place" they would give the measure all the support in their power. He (Mr. Illingworth) was afraid they could not reckon very much on the assistance of the right hon. Gentleman the Member for West Birmingham, because that right hon. Gentleman was in an unfortunate position. He had made it clear that he would not further curtail the rights and privileges of the publican interest without compensation being given to them. Well, if he were to vote for this Sunday Closing Bill, and the Bill became law, it was clear that one-seventh of the publicans profits would go. It was quite true the right hon. Gentleman did not act in that matter on Sabbatarian grounds, because he did not hold Sabbatarian views; but he was opposed to Sunday trading, because he knew that more drinking went on on the Sunday and that the evils of intemperance were more prevalent on that day. If Sunday closing were passed with the right hon. Gentleman's support, on the ground that the evils of drinking were greater upon a certain day, would he be prepared subsequently to adopt that argument as to another day in the week; because unquestionably there would be similar ground for such argument. The right hon. Gentleman was evidently in a difficulty in this matter, because while he did not wish to interfere with the publicans' rights and privileges in that way, their privileges would be whittled away by degrees. The hon. Gentleman the Member for Barrow had given Notice of opposition to all the Licensing

Clauses, but had not given Notice of any opposition to that clause. Reference had been made by the hon. Member for Barrow to the meeting of the Members connected with the Temperance Party upstairs, and as the subject had been touched upon in a candid spirit, and no reluctance had been displayed in dealing with it, he might mention the course the hon. Member himself took when the question of these clauses was considered at that meeting. It was evident from the outset that the hon. Gentleman was about to take a very peculiar course, and while some Members were urging that they ought to press the Government to stand by this clause, the hon. Member pointed out that the Government would put the closure on if it was attempted to discuss these clauses. Well, he (Mr. Illingworth) had far more faith in the sound sense of the Government than he had in that of his hon. Friend, and he declared at the time that he did not believe they would run very much risk in the matter—that the Government had given Notice of their intention to withdraw the clause, and, that being so, they were bound to allow the House of Commons to express its opinion on the subject of that withdrawal—and he was glad to be able to add that the right hon. Gentleman the President of the Local Government Board, in moving the withdrawal of this clause, had left an opening for the fair and reasonable consideration of the proposal. He (Mr. Illingworth) could only add, in conclusion, that if the Government, weakly as he considered it, abandoned the clause at that moment, they would add to the embarrassment of Parliament in the future. Nobody expected that the Bill of the hon. Member for South Shields (Mr. Stevenson) would be carried this Session. It was to be relegated to next Session. The Government had been very careful not to overburden itself with obligations for this Session. The right hon. Gentleman the President of the Local Government Board and his Colleagues would not deny that next Session had in prospect for them an increased and greater variety of work than they had undertaken this Session. It was impossible that they could stave off many other important questions. What, then, would be the prospect of this Sunday Closing Bill in the hands of a private Member? Was it possible for the Government to take it it up and treat it from an Imperial standpoint? He had no such anticipations, and, therefore, it was that he would urge the Government to stand by this clause, and to let them have a bird in the hand rather than a bird in the bush which would have so many opportunities of eluding their fingering in the future. It was a matter for serious consideration on the part of the Government whether they would follow the wiser and better and more rational course on this matter of keeping in the clause, or whether they would yield to the clamour of the publicans' interest and strike it out. That was the difficulty of the Government. They had a large majority in the House of Commons ready to support them if they went forward with the clause, and he sincerely hoped that, in the interest of the well-being of the country, they would not allow it to be dropped.

MR. HANDEL COSSHAM (Bristol, E.) said, he had had an opportunity of attending the temperance meeting of hon. Members to which the hon. Member for Barrow (Mr. Caine) and the hon. Member who had just sat down (Mr. Illingworth) had referred, and perhaps he might be allowed to explain where the hon. Member for Barrow was wrong in the position he had taken up. No doubt, if there were a prospect of getting a Sunday Closing Bill entire, the temperance advocates in the House would be in favour of it; but there was not a very clear prospect of such a Bill being passed, and the hon. Member had no right to say that the Temperance Party were opposed to the present clause. They supported it as it stood, though, no doubt if they could get public-houses shut up everywhere on Sundays, the majority would be in favour of it. The hon. Member for Barrow had put down Notice of opposition to every one of the Licensing Clauses except this, therefore, the hon. Gentleman must be taken as holding that this clause was one which should not be got rid of. Unlike the hon. Member, he (Mr. Cossham) could not vote against the clause, which would go very far in the direction he desired to proceed. He admitted that the clause did not go so far as he should like, but it went in his direction, and he believed that the effect of its being passed would be to reduce very largely

the evils of the liquor traffic on Sundays. He certainly did not understand how anyone, with the interest of temperance at heart, could go against the clause. He could understand the argument, that in voting for the clause some injury might be done to the Government; but that argument would have no weight with him, as he valued the clause far more than the Government. He was certainly grateful to them for having proposed it, but that gratitude was considerably tempered, seeing that they now proposed to abandon it. He was very sorry they had come to that determination. He did not think there was a question which had made so much progress in this country as Sunday closing, and whether the Government abandoned the clause or not, he was sure that in this country we were getting within reach of Sunday closing. He supported the clause, not only on the ground of Sabbatarianism, but because he thought if they prevented all other forms of trade on Sunday, they ought certainly to put a stop to that particular form which was most dangerous. Surely the sale of liquor was not more necessary than the sale of food and clothes, and yet the sale of food and clothes was prohibited, while the sale of intoxicating liquor was not. If they made an exception at all in this case, it should not be in favour of a traffic which was dangerous to the public safety. He desired to see the clause passed, because he recognized the great principle which the noble Lord at the head of the Government had recommended to the country. He could not understand how the Government could abandon a clause which its own Head had put before the country distinctly as a separate question. He should have thought it an insult to the Head of the Conservative Party to withdraw this clause from the Bill, seeing that the noble Lord had advocated this principle on more than one occasion. He (Mr. Cossham) advocated the cause, not because he desired to see a Party triumph secured, but he advocated it on its own merits, because he believed it would work a vast amount of good. He desired to add his appeal to that of the hon. Member for West Bradford (Mr. Illingworth) to the Government to reconsider the position. He could assure them that if they would give the country this clause, they would lay the whole community under a great obligation to them. They would be putting a check upon the tendency of the present licensing arrangements to demoralize the people, and the people would be proportionately grateful. Let them, in connection with this Local Government Bill, by all means retain one of its most important sections—namely, the clause which would put power into the hands of the people to control this drink traffic on Sundays. He should like to see it go farther, and give them not only Sunday closing, but closing on election days, and even the day after elections, if possible, as he believed in that way the interests of the public would be served and elections would be rendered much purer that at present. He appealed to the Government not to withdraw the clause.

MR. CONYBEARE (Cornwall, Camborne) (who rose amidst cries of "Divide! Divide!") said, that when he read a telegram which he had received from one of his political opponents, hon. Gentlemen who cried "Divide!" would see he had some reason for desiring to speak. This was the telegram to which he had referred, and which he had cherished so closely that it had come to pieces. It was from a gentleman connected with the Cornwall Sunday Closing Association, and it was in these words—

"The Cornwall Sunday Closing Association Executive Committee. At a meeting now being held, urge your utmost efforts to get the 9th clause retained."

Now, that mandate, which was only a few days old—not two years old, like that of the Government and the Unionists—had come to him, as he had said, from one of his political opponents in the division he had the honour to represent. That telegram, in conjunction with the fact that all his supporters were heartily with him on this question, entitled him, he thought, to say that his constituents were unanimous in favour of the retention of this clause, and he should be as false to his duty as those hon. Gentlemen who called themselves Liberal Unionists, but whom he called dissentients and violators of their principles, who now supported the Government in their proposal to abandon the clause, if he did not lift up his voice in support of an opposite course. He had noticed that throughout the passage of this measure

the Government had been whittling away everything that was good in it, and that as there was very little of that commodity at the commencement, there was now very little left except what was bad. He would, with the permission of the right hon. Gentleman the President of the Local Government Board, answer the interruption which had occurred a short time ago, and ask him whether he still adhered, in the face of the quotations which he (Mr. Conybeare) would make from his speech, to what he had said just now? When the right hon. Gentleman had heard these quotations, he (Mr. Conybeare) would not trouble himself to refer further to the right hon. Gentleman's speeches, and he would, therefore, be at liberty to go to his dinner with a clear conscience. It was true, as the right hon. Gentleman had said just now in answer to an hon. Member, that he had used this argument—

"It might be said, with some justice, that the publicans would undoubtedly be under a portion of the clause in a much more secure and favourable position than they occupied at present."

The right hon. Gentleman asked them to believe that he was merely dealing with this argument, and that he did not in express terms admit that he was putting the publicans in a more secure position.

MR. RITCHIE said, he begged pardon. He had said that the publicans would be placed in a better position.

MR. CONYBEARE said, then he did not see the object of the right hon. Gentleman's previous interruption. It had been laid to the charge of the right hon. Gentleman that he was confessedly placing the publicans in a better position, and that he knew it, and he understood the right hon. Gentleman's previous interruption to mean that he disputed that assertion. He had gone on to say, after he had put an argument as he supposed others would put it—"We say to the trade we recognize your claim to compensation, and we give you practically a vested interest by the Bill." The hon. and learned Solicitor General would perhaps no longer adhere to the opinion that publicans had a vested interest in their business. The right hon. Gentleman the President of the Local Government Board had said, "We give you practically a vested interest by the Bill, and we think that in consideration of placing you on so much more secure a footing than you at present occupy, we may fairly ask you to pay something more than you do at present for your licence." That appeared to him (Mr. Conybeare) a sentiment so straightforward, ingenious, and positive that he could not understand the right hon. Gentleman making any attempt now to explain it away. As he had said before, he (Mr. Conybeare) had understood, and he believed other hon. Gentlemen on that (the Opposition) side of the House understood the right hon. Gentleman's interruption to mean that he did not express that sentiment in, at any rate, so positive a manner. But there was only one interpretation to be put upon that sentence. However, he (Mr. Conybeare) would not press that point further. He was more interested for the moment in dealing with some of those statements made by the hon. Member for Barrow (Mr. Caine), who seemed, with all his taunting of the right hon. Gentleman the Member for Derby (Sir William Harcourt), to be taking everybody and everybody else's interests under his own special patronage, and to think that no one had a right to speak on the Temperance Question but himself. The hon. Gentleman seemed to assume in the most patronising way imaginable the presidency and leadership of every Local Option organization and Temperance society, federation, or association in the country. He came down to the House, and in a most grandiloquent way, surveying the Empire from China to Peru, assured the House that he only was entitled to speak on behalf of the Temperance cause, when, as a matter of fact, whether they looked at Land's End in the South, or went North to John o' Groat's House, there was no Temperance association in the country which had not expressed itself in favour of the retention of this Sunday closing clause. If the hon. Member for Barrow supposed that the people of Cornwall were not in favour of the retention of the clause, he knew as much about their opinion as he did, when, some time ago, he went down to try to get a Dissentient Liberal returned in the county. There were some Members of the House who were black sheep in the Cornish fold. There was the hon. Member for the Truro Division (Mr.

W. B. Smith), who possessed few friends, either among Tories or Liberals, and he challenged the hon. Gentleman to say whether he proposed, either by his voice or his vote, to try the sentiments of his constituents, or to support his allies on those Benches in their attempt further to emasculate the Bill. If the hon. Gentleman ventured to vote for the exclusion of the clause, it would, he thought, take a great deal more than his eloquence to persuade his constituents to return him at the next election. Then there was the hon. Member for the Western Division of the county (Mr. Bolitho), who had declared himself very strongly against the Compensation Clauses. What he had said in particular with reference to the 9th clause he did not recollect; but he trusted he would state in the name of his Cornish constituents whether they wished the clause to be retained or not. He ventured to think the hon. Member would, to use a Cornish phrase, find himself in a very tight place if he did not speak in favour of the clause. One would have thought on an occasion like the present that the Tory Member representing one of the most temperate and sober counties in the country, and being specially commended—the Members for Penrhyn (Mr. C. W. G. Cavendish Bentinck) and Plymouth (Sir Edward Clarke and Sir Edward Bates)—would have taken sufficient interest in this important clause, which was regarded in Cornwall as more important than all the rest of the Bill together, to come down and see that the interests of their several constituencies were safeguarded by the retention of the clause. The Cornwall Sunday Closing Bill had been before the House before and since he had the honour of a seat in it, and it had only been prevented from becoming law by systematic obstruction. The right hon. Baronet the Member for North-East Manchester (Sir James Fergusson) had spoken on this matter, and had explained that the want of time amply justified the Government in throwing over the Licensing Clauses. That was a fallacious argument; want of time might have justified them in that particular, but this clause had nothing whatever to do with the licensing scheme of the Government. Moreover, it was ridiculous for the Government to take up that position, because they had entered into a contract with Members on that side of the House that if they would support them they should have a whole day for the discussion of the Bill of the hon. Member for South Shields (Mr. Stevenson)—that was to say, they allotted a day of the Session to be used on a Bill which they had not the slightest intention of pressing forward. When the right hon. Gentleman the First Lord of the Treasury was asked the other day whether the Government intended to allow the Imperial Sunday Closure measure to go beyond the second reading, he said that he did not intend to do anything of the kind. They knew then that the whole thing was one of those little comedies which the Government were in the habit of getting up for the entertainment of light-minded people throughout the country, and that they had no intention of assisting the progress of the Bill if it was read the second time, or of advising their Friends in the Upper House to have anything to do with it. The hon. Member for Barrow, in the most candid manner, had said that the Bill was to be passed with his assistance; but he and his hon. Friends were not content with that—they intended to fight for the clause, and for the Imperial measure as well. They were not going to give up their first line of defence, and fall back on their second, until they were compelled to do so. If it were true that the Temperance Societies throughout the country had expressed themselves, as a whole, ready to give up the clause, he could only say that every one of them had been false to their principles. He would ask the right hon. Baronet the Member for North-East Manchester what the Church of England Temperance Society was going to do in this matter? They professed, as an association, to be in favour of Temperance principles; but when an election came, what did they do? How many parsons in the Isle of Thanet were going to vote for Mr. Knatchbull-Hugessen, and how many of them were allied with the publican interest? If the right hon. Baronet were sincere and his Friends were the same, they would not merely support the Temperance Party on every occasion at the polls, but they would make use of the pulpits open to them to declaim and preach more than they did against the evils of intemperance. The

hon. Member for South Belfast (Mr. W. Johnston) was, at any rate, honest in his convictions and the manner in which he carried them out; and upon this matter of temperance he (Mr. Conybeare) always listened to him with the greatest respect. He had told the Committee that he was going to give his hearty support to the Government; but he would ask the hon. Member if he were prepared, in consideration of giving that support, to do what his Temperance principles should insist upon his doing —namely, to urge upon his Leader to carry forward the Imperial measure for Sunday closing which was to come from that side of the House? That, he thought, was the least the hon. Member could do under the circumstances. Then the hon. Baronet the Member for South Northampton (Sir Rainald Knightley) had advanced the argument that it would be cowardly to shift the burden of this question on the new County Councils. He (Mr. Conybeare) confessed that it had been his opinion that the County Councils should do something for the benefit of the people, and they were now told that they were to do nothing of the sort; but he would point out to the hon. Baronet that there was nothing cowardly at all about the proposal. The hon. Baronet was an advocate of the principle of Local Option, which meant that the locality should have the responsibility of deciding for themselves on the question, and it meant, consequently, that the County Councils should have the question to decide however difficult and thorny it might be. The Committee were now discussing a clause which provided that the elected representatives of the people should have the decision of these matters, and he was content that it should rest there; he was quite content that the County Councils should, in the first place, have the power of Sunday closing, and have afterwards the power of putting in force the general veto or disestablishment of public-houses in whatever form or by whatever methods they might choose to adopt. He would like to put forward a very pertinent argument. In one part of the Metropolis—and, he believed, in other parts of the country—as he had evidence to show, poor children were sent on Sundays to public-houses to get liquor for their parents, and paid or rewarded by the publicans with sweetmeats and other presents for bringing custom to their doors. That was a most scandalous state of things, and he advanced it as a strong argument for striking a blow at once at this nefarious system, which was so disgraceful that it ought to induce every honest man to vote for the retention of the clause. If the clause was passed, there was nothing whatever to prevent hon. Members on that side passing into law the measure which was to be discussed at a later day as the Government desired. They were so honest in their efforts to stay the corruption and demoralization of the people through drinking habits, that they were anxious to pass a double measure of security—that was to say, to pass the clause, and follow it by something more general or universal. Some hon. Members had pointed out what was not quite accurate —namely, that the clause was part and parcel of the whole scheme of licensing; but he had shown that that was not so. If the clause were so essentially a part of the whole Government licensing scheme which included the question of compensation, he asked the hon. and learned Solicitor General (Sir Edward Clarke) if he was going to introduce into the measure of the hon. Member for South Shields a clause giving compensation to publicans? Again, how was it, on the same principle, that the clause had not been introduced into the Irish, Welsh, and Scotch Sunday Closing Acts? Looking either to the past or the future, it would be ridiculous to suppose, on the one hand, that the hon. Member's Bill could pass with any Compensation Clause; and, on the other hand, experience had shown that there was no foundation whatever for considering the Compensation Clause in any way part and parcel of a Bill connected with Sunday closing. The only other argument they had heard against the clause was that excitement which the question of Sunday closing would cause at the poll. The Government were always asserting their trust in the people; but directly they were asked to put the settlement of this matter into the hands of Bodies elected by the people, they said it would produce too much turmoil at the elections. That seemed to prove that the supporters of the Government, the country squires, did not expect much success if they had to run against the

popular vote on the County Councils. His excuse for detaining the Committee at such length was that all the Members for his county had disappeared from the Committee, and he had been obliged to roll all their speeches into one. He could not be accused of wasting time. It was the Government who were doing that—the Government which set up that ancient image of respectable mediocrity, who always found it his duty to save every precious second of the time of the House. It was the Conservative Party which wasted more time than hon. Members on that side ever took up in discussing the question. It was the bungling method of conducting their Business on the part of the Government which had necessitated their speaking at some length that night on this important question; it was their fault that he and his hon. Friends had to travel over the same ground, whenever the time came for the Government to carry out its contracts with their Dissentient allies in that House; and on those two grounds he hoped he should not be unfairly treated by being accused of unduly taking up the time of the Committee.

CAPTAIN EDWARDS-HEATHCOTE (Staffordshire, N.W.) said, that as on this occasion he was unable to support those with whom he usually voted, he desired shortly to state the reasons why he was unable to do so. He quite admitted the difficulties of the Government and the shortness of the time at their disposal for disposing of such a measure of Local Government reform as the present; but he did not think they had fairly made out their case for treating this clause and Clause 10 as Siamese twins, the death of one of whom involved the death of the other. It seemed to him that there was no reasonable connection between Sunday closing and what were commonly called the Compensation Clauses. Sunday closing in Scotland, Wales, and Ireland had been carried out without any recognition of the principle of compensation, and he was not surprised that there should have been no such recognition, because it would surely be as absurd to compensate a publican for shutting up his house on Sundays as it would be to compensate a butcher who was compelled to shut up his shop on Sundays. It would be indeed difficult to maintain that, although it might be beneficial to the health and morals of the people that they should be able to buy beer on Sunday, it would certainly be most injurious that they should buy beef on that day. He wished to see real Local Option; but hon. Gentlemen opposite seemed to be in favour of giving Local Option in all localities where they were certain that the majority was in favour of Sunday closing and trust to Imperial Sunday closing to shut up public-houses in localities which were opposed to it. He wanted the option to be real—that was to say, he wanted the localities to be enabled to decide whether or not the public-houses should be closed on Sundays. He also wanted the County Councils to be able to change their minds, and have absolute freedom to reverse the decision at which they might arrive in the event of it being found unsuited to the wants of the localities. He thought that Imperial Sunday closing all round would be very objectionable; because it would treat all places alike. The circumstances, wants, and wishes of the inhabitants of localities differed very widely, and it was a very different thing to shut up a small public-house in the moorlands, where a Sunday customer was almost a phenomenon, and to shut up one in a village close to a town which might be considered as the Sunday lungs for a town population. In one case, he would consider the application of the principle desirable, and in the other very undesirable. These were not new views. He had been somewhat freely criticized for having, in his election address in 1885, stated that he was in favour of the establishment of County Boards, to which the interests of the different localities might safely be entrusted, including all matters relating to Sunday closing, Local Option, and the sale of intoxicating liquors. He was sorry that the whole of this was not in the clause under discussion; but he accepted it as at least a large instalment; and, therefore, although he regretted not to find himself in accord with those with whom he usually acted, he should, without the slightest hesitation, vote with the right hon. Gentleman for the retention of Clause 9.

MR. FIRTH (Dundee) said, the remarkable phenomenon in this debate was that if the clause were lost, it would be through the action of those professing to be Temperance Reformers. It

would be a most extraordinary thing, and one which the country would undoubtedly take note of. There had been since the introduction of the Bill delay after delay in order that the proposals of the Government to abandon their own suggestions might be discussed. There had been four important occasions on which the Government had marshalled all their Supporters for the purpose of voting for clauses, and they were afterwards told that they must vote for these clauses being expunged; and that was the position they were in that evening with respect to the Sunday Closing Clause, which he presumed was brought in after consideration, and after the Government had discussed it with their friends. It was one of the things which made hon. Members on that side look at the Bill with some amount of respect and esteem, and they thought that the County Councils were the proper Bodies to deal with the question. It was a clause of the Government which they had asked their Supporters to support, and now they were striking it out of the Bill. The hon. Member for Barrow (Mr. Caine) had talked about Imperial Sunday closing; but he must be aware that that was a very different thing to adopt as compared with Sunday closing by County Councils. The County Councils, it should be remembered, dealt with different classes of opinion. Having had the privilege of sitting for London, he could say that it would be perfectly impossible to vote for Sunday closing for London, because it would be contrary to the habits and wishes of the vast majority of the people. But it would be quite a different thing to have Sunday closing for Cornwall and Durham. Men who told them they had devoted their lives to the promotion of temperance were about to adopt the proposals of the Government, and to give up the clause which they admitted they could pass, so that the Bill of the hon. Member for South Shields (Mr. J. C. Stevenson) might be discussed. Did anyone suppose that the Solicitor General (Sir Edward Clarke) would support that Bill? No. When the clause was struck out, and the Bill came forward, the Government would simply put it on the floor of the House and trample upon it. Then he said that the loss of the clause, which meant the loss of Sunday closing through the life of the present Parliament, would be due to Temperance men entirely, and they would have to square that matter with their constituents. The position of those who were in favour of the clause was that they had to stand up night after night to defend some excellent proposal of the Government, and the result of whose action would be that, in the end, there would be nothing left in the Bill worth defence. At present, there was something in it to strive for; but the Government were taking it away bit by bit, and putting Members on that side in a most anomalous position; they had come down to support the clause, but the time might come when they would be obliged to kick out the Bill itself. They had defended the Government proposal as well as they could, and yet the clause was to be struck out. But it was necessary that the country should understand that the men responsibile for this were those who had suggested to the country that they were in some way interested in the promotion of temperance.

Mr. HOWORTH (Salford) said, he would endeavour to limit the remarks he had to make to a rather narrow issue, and one which he thought was rather more germane to the discussion than a great deal of what they had heard in the House that night. They were not there to discuss whether Sunday closing was a good thing or a bad thing. That was a very large question, about which most of them had formed an opinion. They were there to discuss a very much narrower issue—namely, whether it be wise or unwise to load the first elections for these County Councils, which would be the most important and most critical experiment that had ever been made in revolutionizing local England, and its institutions, with a polemic which was sure to imperil the existence, the *status*, and the future of these Councils. It seemed that that was the question which was at issue that night, and he thought an example of the rancour and bitterness which this polemic would raise was afforded in the discussion only a few moments ago. If they could, with a light heart, take that as an example of what they would like to see imported into every hamlet and every village in England, before they sent these new County Councils on their way, he con-

ceived that they must have a very fertile hope if they expected very much from the new Councils. It was contended that the Government had conceded the fact that it was wise and right that the County Councils should deal with the question of Sunday closing by inserting this clause in the Bill. The answer seemed to him to be both plain and clear. The Government, when they had to face the reorganization of these local County institutions, had, no doubt, before them the problem of trying to solve, if possible, by some rational and fair means, this great drink question which had been a terror to all hon. Members upon every platform and had pursued them in every election. [*Opposition ironical cheers.*] The hon. Members might cheer; but the shoe had not only pinched hon. Members on the Ministerial side of the House, but had also pinched hon. Members on the other side of the House. In private conversations he had not met with one responsible man in the House who did not express the great hope and wish that this interminable question, which was a perpetual torment to them, should be solved by a measure which should have an element of finality about it. The Government did introduce in their Bill a number of clauses which they hoped would have been accepted as more or less a final and complete settlement of the question. Instead of being accepted as a final and complete settlement of the question those clauses had been repudiated as a settlement of it by one of the great Parties to the issue. Now, that being the case, the conditions were entirely altered. So long as the Clauses were accepted as a solution, it was pretty fair and rational that they should entrust the Local Bodies with the mere administrative duty of carrying them out, because the polemic would have come to an end. But so long as the question remained an open question they were merely acting a cowardly part in removing it from this floor, where they had a wide public opinion, and where they could have the question debated on a wide platform, to the small bodies which were under influences which were anything but generous and wide, and the election of which would be the occasion of quarrelling. They, who represented the larger towns in the North of England, and had had some experience of municipal institutions, had been told sometimes that it was not their place to take an interest in the discussion of this Bill, which provided for the application of the same municipal institutions to rural England. It was because they had seen these institutions working in the way they had seen them working in the communities in the North, where they had a great deal of active and a great deal of commonable public life, that they did not want to see the experiment, when it was tried in the counties, wrecked by what they knew and felt from their experiences would inevitably wreck them—namely, the importation into them of discussions upon questions which would inevitably degrade them. As it was they had at the present time the greatest difficulty in finding men who would contest the municipalities, and whom they felt to be men of judgment and men of capacity and men of position. Such men found the position exceedingly irksome—increasingly irksome—on account of the introduction of political questions which had little to do with real local life. And yet when they were going to introduce an experiment into an entirely unknown country and going to begin anew, as it were, with our country life, it was proposed by some hon. Members to tie round the necks of the new institutions a most perilous load which they could not possibly bear. There was no question which divided people so much in a great many of the northern counties as the question of drink, and he felt, speaking as an urban Member, the greatest possible dread that in many of our towns where the Corporations had not been composed always of the very best men, such as they liked to see on Corporations, the representative Bodies would be still further degraded, and perhaps there would be still further difficulty in finding suitable men to take office if these questions were entrusted to them. But if this was so in towns it would be still more so in country districts. Surely all hon. Members were wishful, that if possible, the best men in the country should take their seats on these County Councils. They wanted, if possible, to have men with the greatest stake and the greatest experience and the greatest knowledge of affairs to take their seats on these County Councils. But many of

these men, who were old men, who were men who had plenty of money and occupation elsewhere, would not be tempted to enter the arena, if that arena were made the place where fights were to take place, not upon local affairs, not as to the way to manage roads and prisons, or as to the way to do a great deal of the work which was now done by the Local Government Board, but upon the question of the drink traffic. This was the reason why he ventured to put down Amendments, the effect of which would be that the whole of the Licensing Clauses would be struck out *en bloc*. The more he thought of this question the more he thought that these considerations ought to have very great weight indeed with the Committee when it determined whether or not the drink question should be made one of the test questions at all the elections for the County Councils. He thanked the Committee for the patience with which they had listened to him. He felt that in stating what he had stated he had tried to bring the Committee back from those questions which were a long way from the issues before them. The real issue was whether the new County Councils should have the duty of deciding whether there should be Sunday Closing or not. Personally, he thought they would do the County Councils very great injury indeed if they imported into the elections of those bodies, not only an irrelevant, but a pernicious polemic.

MR LABOUCHERE (Northampton) said, that the hon. Gentleman the Member for Salford (Mr. Howorth) had stated that they were not there to discuss Sunday closing. He (Mr. Labouchere) perfectly understood that hon. Gentlemen on the other side were exceedingly anxious not to discuss Sunday closing; but they, on the Opposition Benches, were there to discuss Sunday closing. They were anxious there should be Sunday closing, and they thought they found it in this clause. For that reason they were in favour of the clause. The hon. Gentleman (Mr. Howorth) had trotted out the old Tory argument of a complete settlement of the question. They had heard that argument *usque ad nauseam*. Hon. Gentlemen opposite professed to be anxious for reform; but if the measure was a small one, they said they would not vote for it because it was small; but if it was large, they said they would not vote for it because it was not small. The hon. Gentleman the Member for Salford said he was anxious that the County Councils should not be degraded by discussions on the liquor question [MR. HOWORTH: Hear, hear!] The hon. Member cried "Hear, hear!" but when were the questions to be discussed? Were they to be discussed in the House of Commons? Was the House of Commons to be degraded? [An hon. GENTLEMAN: Hear, hear!] Oh, it was. He confessed that if there was to be a degradation, if a subject must be discussed, and the discussion would degrade the Assembly, he should prefer that the County Councils, with all respect to the County Councils, should be degraded, rather than that the Imperial Parliament should be degraded. The hon. Member said they wished the best men to find their way into the County Councils. No; they did not. They wanted the best men in the House of Commons, and, therefore, if they had to choose between a course which would prevent good men coming to one or the other, let them take care that they come to the House of Commons. Now, let them look at the position of affairs at present. He thought it was very desirable that this discussion should not be too short, because hon. Members opposite were so exceedingly fond of puffing themselves on all occasions throughout the country, that it was well that, when they had them in the House, they should take the liberty of pointing out to them, and to the country, their short-comings, which were certainly very numerous. The right hon. Gentleman the President of the Local Government Board brought in this Bill in a very able speech, and with a great flourish of trumpets. It was a perfect Bill. It was a Bill which was to treat with everything, and if the right hon. Gentleman was proud of one particular thing in his Bill, he was proud of the liquor clauses which it contained. The Bill was read a second time; and on that occasion, if he remembered aright, the right hon. Gentleman made a very able speech, and again boasted of his liquor clauses. Withdraw them, not he. They would stand or fall by the liquor clauses. [*Cries of* "No, no!"] Well, he would certainly have fallen if he had stood by them. The

House agreed to read the Bill a second time with the liquor clauses in it. They were now asked to say that the liquor clauses were so bad that they ought to be withdrawn, and by whom were they asked to do that? By the modest right hon. Gentleman himself. He perfectly understood that the right hon. Gentleman's Followers would accept what he said; they seemed quite ready, at the bidding of any Member of the Government, to vote on one day that black was white, and to vote on another day that white was black. But hon. Members on the Opposition Benches had some respect for the dignity of the House, and they did not approve of agreeing to a proposition one day and then voting against it the next day at the bidding or requisition of Her Majesty's Government. The right hon. Gentleman gave several reasons for withdrawing these clauses. He might have saved himself that trouble, for there was one reason which obliged him to withdraw his Compensation Clause upon which he dwelt so much. It was an excellent reason; it was that he could not pass it. The country had had time to understand what the clause was, and Her Majesty's Government ran away because they feared defeat. If the right hon. Gentleman had told them that, he might have saved them the rest of the reasons. It was all very well for the right hon. Gentleman to say that the clause must follow the rest of the Licensing Clauses, but this clause had absolutely nothing to do with the others. If it had been proposed that compensation was to be given in cases of Sunday closing, one clause possibly would have hung upon the other; but the Sunday closing was to take place without any compensation. Compensation was only to be given in the event of a public-house being deprived of its licence entirely. The two clauses were absolutely separate. He quite understood that the right hon. Gentleman did not accept that view. In the view of the right hon. Gentleman the one clause was a sort of *quid pro quo* for the other. The right hon. Gentleman wished to give the licensed victuallers a huge bribe. Licensed victuallers had at present a one year's licence; but the right hon. Gentleman wanted to give them a vested perpetual interest in their licences, and then to present them, at the expense of the ratepayers, with something like £200,000,000 or £300,000,000 for taking away what was given to them. [*Cries of* "No, no!"] The figures had been supplied by the hon. Gentleman the Member for Barrow (Mr. Caine). This might be a good argument, or it might be a bad argument; but it was one the right hon. Gentleman himself would hardly use, because his assertion always was that he gave the licensed victuallers nothing, but left them, so far as the law was concerned, precisely as they were at present. Therefore the right hon. Gentleman could not plead that he could not agree to Sunday closing, because the licensed victuallers were not to have a *quid pro quo*. It had been asserted by the hon. Member for Barrow that the Temperance people objected to this clause because they wanted Imperial closure. They objected to the clause in the sense that they would rather have Imperial closure, but they did not know that they could get it, and therefore they were willing to accept this clause. The hon. Gentleman set himself up as a Temperance leader, but the hon. Gentleman would excuse him (Mr. Labouchere) if he expressed the belief that the hon. Baronet the Member for the Cockermouth Division of Cumberland (Sir Wilfrid Lawson) represented far better the views of the Temperance people than the hon. Gentleman did. They had it from the hon. Baronet that the Temperance people wished that this clause should pass. [Sir WILFRID LAWSON: I did not say all.] Well, the majority of them. The hon. Gentleman (Mr. Caine) professed to have great influence over the Temperance people. The hon. Member for Barrow had been deluding them; he had been telling them that a Bill for general Sunday closing would pass. Well, if they were told that, as the people were in favour of Sunday closing all over the country, they would prefer that that Bill should pass, but the hon. Gentleman had been an entirely false guide to the people, and they must therefore take in at one ear and let out at the other whatever the hon. Gentleman said. The hon. Member for Barrow had quoted as one instance of the feeling of the temperance people what the Church of England Temperance Society thought upon the matter. He (Mr. Labouchere) thought he was right in saying that according to the hon. Gentleman the

Church of England Temperance Society was against this clause. Well, when the hon. Gentleman had mentioned the Church of England Temperance Society he (Mr. Labouchere) was one of those Members who raised the hon. Member's indignation by crying "Oh, oh!" That was an Oh, oh! of depreciation of this Church of England Temperance Society, because it appeared to him that they were people who were ready to say anything about different things at any moment. He held in his hand a Bill which had been extensively posted up in Ramsgate and Margate, signed by two clergymen of Ramsgate, who were members of this Society. These gentlemen seemed to disagree entirely with the hon. Gentleman the Member for Barrow, for what did they say? They were entirely in favour of this clause, and what was more they were in favour of compensation—this remarkable Temperance Society. These two rev. gentlemen said—

"The only comprehensive scheme for effectually dealing with the temperance question has been that proposed by the present Government in the licensing clauses of their Local Government Bill which Mr. Chamberlain described as a generous measure of reform which ought to be welcomed by the Temperance Party."

It seemed to him (Mr. Labouchere) that though the right hon. Gentleman might have described the measure in that way to the Temperance Party, it had met with the usual fate of these measures which the right hon. Gentleman has described as generous and good measures. The Temperance Society that the hon. Member for Barrow had quoted went on to say in this poster, to which he referred—

"After a careful inquiry we have satisfied ourselves that the views of"—

who did the House think?—

"The Right Hon. Mr. James Lowther were in hearty accord with the provisions of that Bill as modified by the suggestions of the most thoughtful of the Temperance Leaders."

They went on to say—and he must allude to this to show how this Church of England Temperance Society perverted and distorted the truth—

"Should Mr. Gladstone return to power, the Irish Question will occupy the field; and, even if this were not so, the Parnellites would never allow him to introduce temperance legislation."

["Hear, hear!"] "Hear, hear!" said hon. Gentlemen. Well, he must point out this—that the majority of the Irish Parnellite Party——

THE CHAIRMAN: Order, order! I must say I am afraid the hon. Member is straying very far from the subject before the Committee.

MR. LABOUCHERE said, he would only add that it would be seen by the Votes whether or not the Parnellite Party were against temperance legislation; and he would now leave these two rev. gentlemen alone, having shown the Committee, he thought, that this remarkable society that the hon. Gentleman the Member for Barrow had taken under his protection, as representative of temperance people, was not to be believed, when their leading authorities—rev. gentlemen of the Church of England—made assertions such as those he had quoted. The fact was that, in this matter, the Government wanted to give a great reward to the publicans. No doubt they did, and in a certain sense they were right in doing so. The publicans supported them, and they naturally supported the publicans. But now they wanted to persuade the House, though in giving this reward they were giving a *bonâ fide* reward, that they were giving them nothing. But they were detected, and they now desired to give a similar reward, saying—"We will save you from the chance of being deprived of the right of selling liquor on a Sunday." The Committee had a right to know what was the opinion of the right hon. Gentleman the President of the Local Government Board as to whether there ought to be an Imperial Bill, or whether there ought to be a local measure dealing with the question of Sunday closing. He had come forward originally in favour of a local measure, but he now withdrew it, and one of the conditions of the withdrawal was that the Government would give a day for discussing an Imperial measure. Was the right hon. Gentleman of the same opinion as his chief, Lord Salisbury? Was the right hon. Gentleman opposed to this Imperial Bill? If he was, he did not give up his own views for the purpose of supporting what was opposed to them. They might fairly suppose that he simply gave a day in order to have the power and opportunity of voting against the Imperial Sunday Closing Bill. Was that the case, or was it not? He (Mr. Labouchere) was very particular in using

Parliamentary phrases, and he did not know whether the word "tricky" was Parliamentary; and, therefore, he would not use it in conjunction with this transaction. The great supporters of the Tory Party were the parsons and the pot-house keepers. The Tories were always afraid of doing anything against them when either the parsons alone, or the pot-house keepers alone, put down their foot. When these sections of the community put down their foot, right hon. Gentlemen opposite did not do anything—they were afraid to move, knowing perfectly well that if they did, they would lose their elections. It was all very well to talk of the policy and statesmanship of right hon. Gentlemen on the Front Ministerial Bench, when, as a matter of fact, their policy and their statesmanship were merely electioneering tactics. He did not blame them—people, after all, did look after votes in this world—but it was a melancholy and discreditable thing that they should have a Government ready to turn round and round at the bidding of parsons and pot-house keepers. What was the equivalent the Government told them they were to expect? Why, the right hon. Gentleman the Member for Derby (Sir William Harcourt) had pointed out that it was absolutely nothing. To tell them that they were to be given in lieu of this clause the possibility of discussing the second reading of a Bill in August was to offer them nothing. The right hon. Gentleman did not even tell them whether facilities would be afforded for the passing of the promised Bill next Session. They did not expect it to be a Government measure, but if there was to be any fair *quid pro quo*, and the simplicity of the hon. Member for Barrow was not being played with by the Government, the Government ought to give him an assurance that this year, or, at any rate, next year, they would give an opportunity for the carrying through in all its stages of this Sunday Closing Bill for the whole country. This equivalent was all the more suspicious seeing the circumstances under which it was offered. There was a meeting of Liberal Unionists the other day, and the noble Marquess (the Marquess of Hartington), as he (Mr. Labouchere) gathered from the newspapers—in that report which had come out after the noble Marquess had told his Followers that it would be disgraceful and shameful for anyone to say anything as to what happened—it was said that the noble Marquess called upon them all to vote against this clause; to rally to the Government as part and parcel of their duties and obligations of honour. Then some of these Unionist Gentlemen got up, and what did they want? They were quite ready to obey the noble Lord, but they wanted some sort of salve for what they were pleased to call their consciences. They had easy consciences, and were satisfied with this very easy and absurd salve administered to them. Did the hon. Member for Barrow hope to deceive the Committee? He did not believe that the hon. Member had deceived himself, nor had the hon. Member for South Tyrone (Mr. T. W. Russell), who had gone down to Ramsgate in the hopes of finding some further electors to be humbugged, although he had not been humbugged himself. His (Mr. Labouchere's) right hon. Friend the Member for Derby had said that a bird in the hand was worth two in the bush. Well, so far as he (Mr. Labouchere) was concerned, he did not see two or even one bird in the bush. They had this good, fat temperance bird, they had caught the bird, they had cooked the bird, all they had to do was to carve it and eat, and they were asked to give it up for this will o' the wisp in the wood. Why, they would be most foolish to do it, and, so far as their votes were concerned, they did not intend to do it. Like all apostates, the Member for Barrow went even farther than the Government. He told them that these clauses would be positively injurious to temperance. The publicans, however, do not think so, and Mr. James Lowther did not think so. The publicans were perfectly ready to accept the compensation, and would have stomached this clause in consideration of it; but now that compensation was struck out, and they were asked to agree to this clause, they joined the hon. Member for Barrow and the hon. Member for South Tyrone in their opposition to it. He should like to ask the hon. Member for Barrow and the Liberal Unionists who acted with him in this matter, one or two questions. Were they in favour of Local Option? They had said again and again that they were; yet if they were logical they would say, "We will not vote for Local

Option, because if we did it might be that public-houses would exist in some parts of the country, and most assuredly if the Bill passed there would be no possibility of ending public-houses." The hon. Member for Barrow actually stated, as one reason for voting against the clause, that he could not entrust County Councils with the working of it, because they would not be a fair representation of the county, there being selected members on them. Well, was the hon. Member going to vote against selected members? Were the Liberal Unionists going to be ordered by the noble Marquess not to vote for selected members? Not a bit of it. The hon. Member for Barrow said that he considered the Bill a good Bill, and yet he would vote for the omission of this clause, because it would throw into the hands of the County Councils certain duties which he said they were too bad to perform. Then how was it that the hon. Member had voted for the Sunday closing Bills for Cornwall and Durham? If he entertained the views he seemed to hold now, he ought to have voted against them, for the reason that the more of these Bills that were passed the more difficult it would be to pass a Bill providing for Sunday closing over the whole country. The real fact of the matter was this, these hon. Gentlemen had only discovered that this clause was opposed to the cause of temperance after the Government had found it expedient to throw it over. It was not because they thought that it was against the cause of temperance that they voted against it, but because they were bound not to vote against it. The hon. Member for Barrow should have been more candid. He ought to have admitted that he must necessarily from his position be a hewer of Tory wood and a drawer of Tory water. He had not an independent soul, and he should understand that it was not possible to be at one and the same time an honest Liberal representative and a mere Tory hack. No doubt the hon. Gentleman was at liberty to enjoy his opinion, even if that opinion was that it was better to have a drunken England than a free Ireland. Holding that opinion, the hon. Member was perfectly at liberty to vote as he liked, but when he did that, he was very silly to tell them that he was acting in favour of the temperance cause. He (Mr. Labouchere) had looked through the numerous Amendments of the hon. Gentleman to the liquor clauses, and he noticed that every other clause was covered with Amendments, there being at the end of each a proposal to eliminate the whole section, and yet the hon. Member, who was so strong against this clause, has not put down a single Amendment to it, nor had he made any proposal to strike it out altogether. Well, he (Mr. Labouchere) did not complain of the hon. Gentleman's views; but what he complained of was the wretched hypocrisy which led Gentlemen to sit on the Liberal side of the House, which led them to talk Liberalism and to swagger about it, and yet which led them to vote in favour of their Friends opposite being in power, and so preventing the Liberals from coming in. It was impossible to be a Liberal and support a Conservative Government, as it was impossible to hunt with the publican hare and run with the Liberal hounds. [*Laughter.*] Well, they could put it which way they liked; he always wished to oblige hon. Gentlemen opposite. He would recommend these Gentlemen, these temperance Liberal Unionists, to take example by their publican friends, who were far more honest, and who, when they kept a gin palace, did not call it a hall of temperance, and who did not call themselves priests of the temperance cause. He would ask them to take example by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), That right hon. Gentleman understood thoroughly the logic of his position. He (Mr. Labouchere) was glad this discussion had taken place, as it would place clearly before the country on which side the Government were in this controversy. He had no doubt the Government would get a great deal of the publican vote—they had always got it—but he very much doubted whether, with the exception of the hon. Member for Barrow, and these two remarkable Church of England temperance clergymen to whom he had referred, throughout the length and breadth of the land they would get one single vote from any person who was really in favour of temperance. He (Mr. Labouchere) held that this Sunday closing question was essentially a local question—it must in the nature of things be a local question—and he therefore greatly

preferred the clause they were now discussing to a general Bill. Hon. Gentlemen knew that there was hardly a London Member who was in favour of Sunday closing—at any rate, if there was one who was prepared to vote for the closing of public-houses on Sunday in London and all over the country, let him come forward and state his opinion. He defied hon. Gentlemen opposite to find one single London Member who was ready to do this. They knew well that in passing this clause they would be passing Sunday closing according to the requirements of each locality, and that in proposing to put before the House a general Bill on the question they were proposing that which the House would never pass. He did hope that the Liberal Party on this occasion would have, he did not say a majority on the Division about to take place, for they never seemed to get majorities now, but he did hope that they would have a sufficient number of persons on their side protesting against the course the Government were pursuing, and he was perfectly convinced that the Division, whatever the result would be, would show the country that the Liberal Party was truly and solidly in favour of temperance, and that the Government and their Allies were as thoroughly opposed to it as the Liberals were in favour of it.

THE SOLICITOR GENERAL (Sir EDWARD CLARKE) (Plymouth) said, the Committee seemed desirous of closing the discussion, which had now lasted for a very considerable time, and perhaps before the Division took place a few words from that, the Front Ministerial Bench, with regard to the course the debate had taken, might not be inappropriate. It had been a matter of much interest, on the side of the House on which he sat, to note the differences which seemed to exist amongst the ardent temperance reformers who sat in different parts of the Benches opposite. The hon. Member who had just spoken —and who was so anxious for the dignity of the House and the sacred cause of temperance—had denounced the hon. Member for Barrow, and looked down upon him from his own great height of virtue as not being really interested in the temperance cause; and he had also slightingly referred to the Church of England Temperance Society, about which he had not taken much trouble to inquire until he had received the poster which he read from Ramsgate. It had been suggested that the Government were anxious to withdraw the clause by way of compensation or by way of bribe to the publican interest, and that, the other clauses having been withdrawn, there was no reason why this also should be withdrawn, except that the Government desired to do something to please the publicans. The fact was, that this clause was put in as one of a number of clauses dealing with a particular subject, and as connected with the other Licensing Clauses, and, naturally, when the others were struck out there ceased to be a reason for retaining this. He was not going to enter into a discussion of the Licensing Clauses. They had practically disappeared, and for one reason he was rather sorry for it. He had looked forward to an opportunity of defending, in discussion, observations which he had made elsewhere, and he should have been tempted to say something about them because he believed the hon. Member for South Tyrone (Mr. T. W. Russell) had said the other day that he (Sir Edward Clarke) had buried his political reputation in the grave of the Licensing Clauses. He was naturally the person most interested in the dear departed, and would have liked to attend the funeral and make a few valedictory observations on the clauses; but at this moment they were dealing with one clause, and only one. As to this section, there was no sort of agreement between the representatives of the temperance cause as to whether this clause would do good or not. Some of them said it would, holding the opinion that it was desirable to remit the question of Sunday Closing to the Local Bodies appointed to deal with local affairs. He could understand that—he thought there was a great deal in that contention. The circumstances of different localities differed so greatly that the Government had been anxious to give the powers contained in these Licensing Clauses, referring to the liquor traffic, to the Local Bodies, including the settlement of the Sunday Closing question, but that could not be done after the speech of the hon. Member for Barrow (Mr. Caine), and after the quotations which had been made from the resolutions passed in different

parts of the country on this matter. There could be no doubt that a great many temperance organizations believed that if the matter were relegated to Local Bodies there would cease to be any reason or excuse for Parliament addressing itself to the solution of the question. In some parts of the country, no doubt, there would be Sunday closing, but it was equally certain that in other parts of the country there would never be any chance of getting Sunday closing at all. Therefore, it was argued by some temperance reformers and advocates of Sunday closing that it would be better for the cause they had at heart that they should endeavour to get a general Bill passed applicable to the whole country, instead of leaving the matter to be dealt with in separate sections of the country. He was not going to express a definite opinion as to which policy was right, and for the reason that he was himself against entire Sunday closing. He had always said that there was very good reason for curtailing and limiting the hours during which public-houses should be allowed to remain open on Sundays; but he had always protested against the measure for closing public-houses altogether on that day. The question which policy was right was not one in which he took much interest himself; but there was this point to be remembered, and it was an important one. If they had been able to transfer from the floor of the House to the Local Bodies the discussion of the whole question of the conduct of the liquor traffic, and if they had been able to do it with such provisions as to compensation as would have prevented any strong antagonism with regard to the subject, and any great monetary interests being involved in the decisions of the Local Bodies, then it might have been a good thing to do. Parliament would have been relieved of a difficulty which would have been relegated to the Local Bodies; but what would be the case if they were to retain this clause, while striking out all the other Licensing Clauses? Why, the Local Bodies would have a harassing question thrust upon them, and the matter would not be removed from the consideration of Parliament, because they were told by the hon. Baronet the Member for the Cockermouth Division (Sir Wilfrid Lawson) that he desired to retain this clause in order to give the Local Bodies power to close the public-houses on Sunday where the people were in favour of Sunday closing, and that then he and his Friends would come back to the House of Commons asking it to enforce Sunday closing elsewhere. So that the House of Commons would not get rid of the question altogether, and they would find the retention of the clause influencing all local elections. This question would be one of the leading ones as affecting election contests, as at each election a temperance campaign would be carried on, and on the one side there would be a candidate described as a temperance candidate, and on the other they would have a candidate described as a publican's candidate, and the result would be that a large number of men whom it would be desirable to have upon the County Councils would decline to enter into contests which would involve their being ticketed either as a temperance man or as a publican's man. If there had been any prospect of their being able to carry all the Government clauses, it would have been worth while sacrificing time and encountering difficulties of this kind; but as the other clauses were withdrawn, it was not worth while exposing the Councils to all these difficulties for the sake of this one clause. He believed that in years to come the advocates of the temperance cause would have good reason to regret the action they had taken during the last few months in having lost an opportunity of dealing reasonably and fully with this question. Having, however, refused to accept the clauses the Government proposed, and having caused the withdrawal of the greater part of the Local Government scheme as to licensing, there was nothing left but to withdraw the whole of it. As the Local Councils were not to be allowed to have the management of the whole question, at all events it was only right not to trouble them with the difficulties and disadvantages which would arise from burdening them with the carrying out of the powers of this particular clause.

SIR WILLIAM HARCOURT said, they had had a very interesting lecture on the policy of the Temperance Party from the hon. and learned Gentleman the Solicitor General, who told them that he was opposed to Sunday closing altogether.

SIR EDWARD CLARKE: I gave no opinion upon that policy.

SIR WILLIAM HARCOURT: No, the hon. and learned Gentleman had given no opinion upon it; he had given opinions enough one would think. The hon. and learned Gentleman had learned a lesson on the subject of giving opinions, and the Committee knew what his opinions were worth. If any person was responsible for having wrecked the provisions of this Bill affecting the temperance question, it was the hon. and learned Solicitor General who had just undertaken to lecture the Committee on the subject. But he (Sir William Harcourt) did not rise to speak again at any length upon this question. He only rose to say that he thought after the very interesting discussion they had had it would be well that they should now come to a decision upon it. There was only one thing he wished to say with reference to the opinion of the Temperance Bodies. He had received a great many communications from them on this subject. Something had been said to-night on the view of the National Temperance Federation of which the hon. Member for Barrow (Mr. Caine) had said he was the president. Well, after the hon. Member had spoken of that Temperance Federation he (Sir William Harcourt) had received from them a letter, which was meant to be made public, and was dated from 168, Edmund Street, Birmingham, and signed by Joseph Malms for the secretary, representing the views of the federation, and recommending "that we should not press for the withdrawal of Clause 10," but not saying one word on the subject of the withdrawal of Clause 9. Now, as that was the federation of which the hon. Member for Barrow had spoken to-night, and of which he was chairman, and acting entirely in accordance with the opinion so expressed, the hon. Member had put down Notices of Motions to omit from the Bill every one of the other clauses relating to licensing; this Clause 9 was the one clause, and the one clause only, bearing upon the subject upon which he had not put down such a Motion. Now, he (Sir William Harcourt) left the Committee to draw its own conclusion on the matter. In his opinion there was no doubt there was a large proportion of Temperance Bodies who would far rather see a universal compulsory Sunday Closing Bill. That was a proposal which he, in common with others, thought would be a very good thing if they could get it. ["Oh, oh!"] Yes, if the opinion of the country was such as to justify it, as it had been in Ireland, Scotland, and Wales. He did not believe that the opinion of this country would justify or support such a measure at the present moment. Therefore, he did not think it wise to propose such a measure. That was why he was glad to see the proposal made which would give that power to all parts of the country that were prepared to accept it. That was what Clause 9 proposed to do. He was sorry that this should be regarded as a Party question. He hoped they would not regard it as such, but that each would vote on the Motion as he thought best for the interests of the cause he had at heart.

Question put.

The Committee *divided*:—Ayes 213; Noes 275: Majority 62.—(Div. List, No. 180.)

Clause 10 (Transfer to county council of licensing powers as respects intoxicating liquors).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

MR. ILLINGWORTH (Bradford, W.) said, that the discussion on Clause 9 had been necessarily limited to a very small portion of the whole question, and it had been impossible for the right hon. Gentleman in charge of the Bill (Mr. Ritchie) to go into the whole case. He thought the right hon. Gentleman had been disposed to rise just before the vote on the last clause was taken, but had been prevented by a mechanical motion on his right. If they had not had from the right hon. Gentleman a speech which he had made in the early part of the evening, the Committee would have been left in doubt as to what was the present mind of the Government as to value and policy of the Licensing Clauses; but the right hon. Gentleman had stated that the Government had not changed its opinion as to the value of the transfer from the magistracy to the County Council of the control of the licensing system. As he (Mr. Illingworth) understood the right hon.

Gentleman the substantial reason that he gave was that such feeling and indignation had been raised throughout the country as to produce an effect upon the House which obliged the Government to consent to the withdrawal of the clauses. Well, he (Mr. Illingworth) had already stated that he believed the Government to be under a misapprehension with regard to Clause 9. Gentlemen on the Opposition side of the House were, he believed, entitled to speak on behalf of the majority of the temperance organizations in the country, and they could say that those organizations did not object to the transfer of the licensing power from the magistrates to the new County Councils. Well, if that were so, the right hon. Gentleman was really in a position to set these clauses upon their feet again. Undoubtedly, if the authority of the Government were exercised upon this point, if they were to declare in the face of the Committee and the country that they had not changed their opinion, but had been mistaken in their interpretation of the opposition to these clauses, and if they were to stand by the clauses, no doubt hon. Gentleman on the other side of the House would rally to their support, and the result would be that the clauses would be carried probably by a larger majority than any other arrangement or provision of the Bill. He would appeal to the Government, and especially to the right hon. Gentleman the President of the Local Government Board, not to throw away this opportunity they had of advancing towards a final settlement of this question of licensing throughout the entire country. He did not suppose that, in the contests for the County Councils, this question would give rise to any permanent difficulty. No doubt it would have to be fought out. It had been argued, in objection to the course he was suggesting, that any candidate who presented himself for election upon the County Council would be ticketed either as a temperance supporter or as a supporter of the publicans. Well, he saw nothing to object to, even supposing this difficulty should arise. There were very few Members of the House who were not obliged to go through the same ordeal at every election. They were interviewed by persons connected with temperance associations, and by persons representing the publican interest. They were all ticketed, they were all recognized as favourable to either one side or the other. Well, if that was the experience of a Member of Parliament, he should like to know what objection there was to candidates to the County Councils being asked to undergo the same process? He did not anticipate that the discussion of the question would last any length of time; but he was satisfied that those who wished to see this measure of real substantial benefit to the country, were doing the best thing possible in asking the Government to re-consider their decision as to the withdrawal of those clauses. All they asked was that the Government should stand by their own project, and should not turn their backs upon themselves, and they might rest assured that if they dared to throw over the publican interest, they would find upon their side an overwhelming majority both in the House and in the country. He did not wish to delay the Committee. [*Ironical cheers.*] If he had originated the proposal which appeared to be delaying the Bill, he could understand those cheers; but when he was supporting a proposal which the Government had deliberately and from the outset set up as an essential part of the Bill, he did not think he was open to the charge hon. Gentlemen wished to convey by their cheers, that he was unduly interfering with the progress of the measure. What he complained of was that the Government was turning its back upon its own proposal, and that they should do this at a moment when the President of the Local Government Board declared that he was of the same opinion as to the value of this proposal as he was at the beginning. He thought the right hon. Gentleman ought to stand by the Bill as it was introduced.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, the hon. Gentleman wanted him to enter upon a discussion of the Licensing Clauses. The Government had announced their intention of asking the Committee to negative those clauses, and he thought it would be unwise, as well as unnecessary, for the Committee to enter upon a discussion which, if it were a full discussion, would certainly be long and might be acrimonious. He had no desire, on the part of the Government, however much he might feel

inclined, to enter into a defence of a position which he thought was most indefensible. He would rather, looking to the large and important questions which they had still to discuss, and looking to the position the Government had taken up with reference to these clauses, submit to have these clauses negatived without that full defence which, if circumstances permitted, he would have been glad to lay before the Committee. Many of the points involved in the Licensing Clauses—for example, that of compensation, and others—had been discussed on Clause 9, and, therefore, he felt satisfied he would be acting in accordance with the wish of the Committee if he did not invite them to enter upon a long and acrimonious discussion. Having regard to the large number of important issues which still remained to be discussed, he hoped the Committee would support the Government when they asked that these clauses should be disposed of without the discussion to which the hon. Gentleman the Member for West Bradford invited them.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian) said, he rose for the purpose in the main of supporting the appeal which had been made by the right hon. Gentleman. It was, to some extent, a sacrifice on his part to do so, because he should certainly have been favourable to the transfer of the jurisdiction from the magistrates to the County Councils, even supposing they had been able to do nothing else. He should like, in conformity with the principle laid down by the hon. Baronet the Member for the Cockermouth Division of Cumberland (Sir Wilfrid Lawson) earlier in the evening, to make progress by means of that transfer. But as that could not be done, he did not wish to waste the time of the Committee by discussing the matter. He was bound to say he had looked forward to this occasion with considerable anxiety. He had looked forward to this occasion as a means of putting an end to the most needless, yet perhaps not inexplicable, correspondence with which he had been persecuted ever since the Bill was introduced, a correspondence all based on a quotation from a speech of his in 1880, when he said he should have been better pleased with the wide and general proposal of his hon. Friend if it had not contained some reference to the idea of equitable compensation. He really desired to put forward in every way the success of the Bill, and he would sacrifice what he had promised in that innumerable correspondence—namely, when a legitimate opportunity presented itself, to make a full statement of his opinions on this question. He would forego the opportunity. He would simply say that his opinions on licensing were not exactly in accordance with those of any of the great Parties in the country, but, such as they were, they had never changed in any way. This question was carefully examined about 1853—35 years ago—and the compensation which he had always looked to was to be understood from the measures he had at various times supported. The Liverpool Bill, about the year 1863, and the plan of Lord Aberdeen, about the year 1871, contained the idea of compensation such as he (Mr. W. E. Gladstone) conceived it. He need not say that that was totally and absolutely different from the right hon. Gentleman's (Mr. Ritchie's) idea of compensation. He felt, however, that he should be best forwarding the business of the Committee if he limited himself to that statement and forebore to go further into the question. They had all got in view a great public object; they were desirous of securing the affirmation of the principles which they thought of great value, and which were contained in the framework of the present Bill, although, undoubtedly, they could have desired that those principles had been much more fully and comprehensively applied. Under the circumstances, he did not think he would be satisfying the demands of public duty were he to do anything more than to say he thought, all things considered, the appeal of the right hon. Gentleman was a fair appeal. The manner in which the right hon. Gentleman had conducted himself at the various stages of the Bill gave him every title to all the assistance they could fairly give him. He desired to give the right hon. Gentleman assistance, and the best form in which he could render it was to at once resume his seat.

MR. STOREY (Sunderland) said, that perhaps he ought to apologize to the Committee for interposing in the debate, because hitherto he had not been able to take any great part in the considera-

tion of the Bill. When the measure was introduced he was compelled by sickness to be away from the country; he only returned in the month of May. He read the speech of the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) when he was lying on his back between 2,000 and 3,000 miles from here. He must say he was not astonished at the tone and purport of the speech, coming, as it did, from the right hon. Gentleman; but coming from him as a Member of a Conservative Government, he was rather astonished at it. He accepted with the most implicit confidence the Liberal sentiments which the right hon. Gentleman there expressed, and he thought himself blessed that at last he had met with or heard of a Conservative Minister, an important Conservative Minister, who, on behalf of a Conservative Government, could propose a measure so Liberal, so Radical, so democratic in tone and substance. He determined to support the Bill. He was free to confess that when he came home and read the Bill he was not quite so satisfied with it as he was with the speech of the right hon. Gentleman. But, still, on the only occasion on which he had interfered in the debates on the Bill, he took the opportunity of rather earning the condemnation of some of his political Friends, and the plaudits, the gratifying plaudits, of hon. Gentlemen opposite, by supporting the proposal of the Government and opposing the ideas of Gentlemen on that (the Opposition) side of the House. Now, he did not intend to intervene at any length in the debate that night; but he wished to put to right hon. Gentlemen on that side of the House, whom, generally, he was happy to follow, the suggestion that, though they had been beaten on Clause 9, they should not without some protest, the strongest they could make in the House, lose the opportunity of asserting that, in their judgment, whatever might be the newest judgment of the Government, the power of licensing ought no longer to be in the hands of the magistrates, but placed in the hands of the elected representatives of the people. Now, if that involved any large change, or any question of compensation, he should most certainly decline to walk into the Lobby against the Government, and he would tell the Government why. He quite admitted that if any large question of compensation was to be discussed, if any important change was to be made, it ought to be discussed in a Bill as a whole and not as a clause of a Bill. But might he point out to the right hon. Gentleman, who he remembered when he sat on that side of the House developed Liberal tendencies that were rather extraordinary in a Conservative, with which Liberal tendencies he had in some degree succeeded in inoculating his Colleagues—might he point out to him that in Clause 10 no great change was proposed. He wished Gentlemen on that side to look at Clause 10 in itself, without reference to Clauses 11, 12, or the following clauses. Clause 10 in itself proposed a change which the right hon. Gentleman himself thought just and fair, or he would never have proposed it, and a change which they, on the Opposition side of the House, if they were true to their principles, must support. The clause proposed that—

> "All such powers, duties, and liabilities with respect to licensing within the meaning of this Act, &c., &c., which now rest with the justices, shall, in future, be in the possession of the elected council."

Mark the words, Mr. Chairman, "all such powers." He saw the hon. and learned Solicitor General (Sir Edward Clarke) in his place, and he knew he should have in him a willing adherent to his view, and he hoped a follower into the Lobby. He thought the hon. and learned Gentleman held that the justices had at present no unlimited power of refusing licences. No unlimited power? Their power was limited. Well, all Clause 10 proposed, was that the limited powers which according to the hon. and learned Solicitor General now belonged to the Justices, should in future belong to the elected representatives of the people. He did not pretend to agree with the hon. and learned Gentleman. He thought the powers were unlimited, but he would accept, for the moment, the hon. and learned Solicitor General's proposition. If the hon. and learned Gentleman held that the powers of the Justices were limited, what valid reason could he give why the limited powers the Justices had should not be transferred to the County Councils? He hoped the Committee, in fact, he knew the whole Committee had studied Clause 10 much

more than he had, but perhaps they had not done so from the point of view of its relation to the other clauses. He asserted, and he wished the President of the Local Government Board to deny it if he could, that Clause 10 without reference to Clause 11, 12, and the following clauses, amounted to this, and this alone, that all such powers as the magistrates legally had should in future be powers possessed by the elected Council. How could they say for a moment, how could a democratic Conservative Government say for a moment, that that proposition was not a just proposition? He could appeal personally, if he had the opportunity, to half-a-dozen Members of the Front Government Bench, whom he had heard assert these things again and again. He maintained that they believed, as much as he believed, that these powers ought to rest with the elected Councils. If there had been anything extra proposed, if there had been any proposal to extend these powers, he should not have got up to express the opinion that Clause 10 ought to be retained in the Bill; but he held distinctly there was no extra proposal in the clause; that, on the contrary, the clause was limited to conferring upon the County Councils the powers now vested in the magistrates. He stated at the beginning, and he repeated, he advocated no large change, but he should consider himself false to his constituents, and false to the principles upon which he was sent there, if he did not assert upon every occasion and certainly upon an occasion offered to him by a Conservative Government, that a proposal to transfer powers now held by unelected persons to elected persons was a proposal which ought to command the assent of every Liberal and Radical, every Liberal Unionist, and not a small section of Gentlemen opposite, who got into Parliament at the last Election, by proclaiming they were Tory secondly and democratic firstly. If, therefore, his hon. Friend the Member for West Bradford (Mr. Illingworth) divided the Committee upon the retention of Clause 10, he should be very glad to follow him into the Lobby.

Question put.

The Committee *divided*:—Ayes 175; Noes 252: Majority 77.

AYES.

Abraham, W. (Glam.)
Acland, A. H. D.
Acland, C. T. D.
Allison, R. A.
Asher, A.
Asquith, H. H.
Ballantine, W. H. W.
Barbour, W. B.
Barran, J.
Barry, J.
Biggar, J. G.
Bolton, T. D.
Bradlaugh, C.
Broadhurst, H.
Bruce, hon. R. P.
Brunner, J. T.
Buchanan, T. R.
Burt, T.
Byrne, G. M.
Cameron, J. M.
Campbell, Sir G.
Campbell-Bannerman, right hon. H.
Carew, J. L.
Channing, F. A.
Clancy, J. J.
Clark, Dr. G. B.
Cobb, H. P.
Colman, J. J.
Commins, A.
Condon, T. J.
Conway, M.
Conybeare, C. A. V.
Corbet, W. J.
Cossham, H.
Cox, J. R.
Craig, J.
Craven, J.
Crawford, D.
Cremer, W. R.
Crilly, D.
Crossley, E.
Davies, W.
Deasy, J.
Dickson, T. A.
Dillwyn, L. L.
Ellis, T. E.
Esmonde, Sir T. H. G.
Esslemont, P.
Evans, F. H.
Fenwick, C.
Ferguson, R. C. Munro-
Finucane, J.
Firth, J. F. B.
Flower, C.
Flynn, J. C.
Foley, P. J.
Forster, Sir C.
Foster, Sir W. B.
Fox, Dr. J. F.
Fry, T.
Fuller, G. P.
Gaskell, C. G. Milnes-
Gilhooly, J
Gill, T. P.
Gladstone, H. J.
Gourley, E. T.
Graham, R. C.
Grey, Sir E.
Grove, Sir T. F.
Haldane, R. B.
Harrington, E.
Harrington, T. C.
Harris, M.
Hayden, L. P.
Hayne, C. Seale-
Healy, M.
Holden, I.
Hooper, J.
Hoyle, I.
Hunter, W. A.
Jacoby, J. A.
Joicey, J.
Jordan, J.
Kenny, C. S.
Kenny, J. E.
Kenny, M. J.
Kilbride, D.
Labouchere, H.
Lawson, Sir W.
Leahy, J.
Lefevre, rt. hn. G. J. S.
Lewis, T. P.
Lockwood, F.
Macdonald, W. A.
Mac Neill, J. G. S.
M'Cartan, M.
M'Carthy, J.
M'Carthy, J. H.
M'Donald, P.
M'Laren, W. S. B.
Mahony, P.
Maitland, W. F.
Mappin, Sir F. T.
Marum, E. M.
Mayne, T.
Molloy, B. C.
Montagu, S.
Morgan, O. V.
Morley, A.
Murphy, W. M.
Nolan, Colonel J. P.
Nolan, J.
O'Brien, J. F. X.
O'Brien, P. J.
O'Connor, A.
O'Doherty, J. E.
O'Hanlon, T.
O'Hea, P.
O'Keeffe, F. A.
O'Kelly, J.
Parker, C. S.
Pickersgill, E. H.
Picton, J. A.
Plowden, Sir W. C.
Powell, W. R. H.
Power, P. J.
Power, R.
Price, T. P.
Priestley, B.
Provand, A. D.
Pugh, D.
Pyne, J. D.
Quinn, T.
Randell, D.
Redmond, J. E.
Redmond, W. H. K.
Reid, R. T.
Reynolds, W. J.
Roberts, J.
Roberts, J. B.
Roe, T.

Rowlands, W. B.
Russell, Sir C.
Samuelson, G. B.
Sexton, T.
Sheehan, J. D.
Sheehy, D.
Sheil, E.
Sinclair, J.
Slagg, J.
Smith, S.
Spencer, hon. C. R.
Stack, J.
Stansfeld, rt. hon. J.
Stevenson, F. S.
Stewart, H.
Stuart, J.
Sullivan, D.
Summers, W.
Swinburne, Sir J.
Talbot, C. R. M.
Tanner, C. K.
Thomas, A.
Thomas, D. A.
Tuite, J.
Vivian, Sir H. H.
Warmington, C. M.
Wayman, T.
Will, J. S.
Williams, A. J.
Williamson, J.
Wilson, H. J.
Wilson, I.
Woodall, W.
Woodhead, J.

TELLERS.

Illingworth, A.
Storey, S.

NOES.

Addison, J. E. W.
Agg-Gardner, J. T.
Ainslie, W. G.
Allsopp, hon. G.
Ambrose, W.
Anstruther, H. T.
Ashmead-Bartlett, E.
Bailey, Sir J. R.
Baird, J. G. A.
Balfour, rt. hon. A. J.
Baring, Viscount
Baring, T. C.
Barnes, A.
Barry, A. H. S.
Barttelot, Sir W. B.
Bates, Sir E.
Baumann, A. A.
Beach, right hon. Sir M. E. Hicks-Beaumont, H. F.
Bentinck, rt. hn. G. C.
Bentinck, Lord H. C.
Bentinck, W. G. C.
Bethell, Commander G. R.
Biddulph, M.
Bigwood, J.
Birkbeck, Sir E.
Blundell, Colonel H. B. H.
Bond, G. H.
Bonsor, H. C. O.
Boord, T. W.
Borthwick, Sir A.
Bristowe, T. L.
Brodrick, hon. W. St. J. F.
Brookfield, A. M.
Brooks, Sir W. C.
Brown, A. H.
Bruce, Lord H.
Burghley, Lord
Caine, W. S.
Caldwell, J.
Campbell, Sir A.
Campbell, J. A.
Carmarthen, Marq. of
Cavendish, Lord E.
Chamberlain, R.
Charrington, S.
Clarke, Sir E. G.
Coddington, W.
Coghill, D. H.
Colomb, Sir J. C. R.
Compton, F.
Cooke, C. W. R.
Corbett, A. C.
Corbett, J.
Corry, Sir J. P.
Cotton, Captain E. T. D.
Cranborne, Viscount
Cross, H. S.
Crossley, Sir S. B.
Crossman, Gen. Sir W.
Curzon, hon. G. N.
Dalrymple, Sir C.
Darling, C. J.
Davenport, H. T.
Dawnay, Colonel hon. L. P.
De Cobain, E. S. W.
De Lisle, E. J. L. M. P.
De Worms, Baron H.
Dimsdale, Baron R.
Donkin, R. S.
Dorington, Sir J. E.
Dugdale, J. S.
Duncombe, A.
Dyke, rt. hn. Sir W. H.
Ebrington, Viscount
Edwards-Moss, T. C.
Elliot, hon. A. R. D.
Elliot, hon. H. F. H.
Elliot, G. W.
Elton, C. I.
Evershed, S.
Ewart, Sir W.
Feilden, Lt.-Gen. R. J.
Fellowes, A. E.
Fergusson, right hon. Sir J.
Fielden, T.
Finch, G. H.
Finlay, R. B.
Fisher, W. H.
Fletcher, Sir H.
Folkestone, right hon. Viscount
Forwood, A. B.
Fowler, Sir R. N.
Fraser, General C. C.
Fry, L.
Fulton, J. F.
Gathorne-Hardy, hon. J. S.
Gedge, S.
Gent-Davis, R.
Gilliat, J. S.
Goldsmid, Sir J.
Goldsworthy, Major-General W. T.
Gorst, Sir J. E.
Goschen, rt. hon. G. J.
Granby, Marquess of
Gray, C. W.
Grimston, Viscount
Grotrian, F. B.
Gunter, Colonel R.
Gurdon, R. T.
Hall, A. W.
Hall, C.
Halsey, T. F.
Hamilton, right hon. Lord G. F.
Hamilton, Col. C. E.
Hamley, Gen. Sir E. B.
Hanbury, R. W.
Hankey, F. A.
Hardcastle, E.
Hardcastle, F.
Hartington, Marq. of
Heaton, J. H.
Heneage, right hon. E.
Herbert, hon. S.
Hermon-Hodge, R. T.
Hervey, Lord F.
Hill, right hon. Lord A. W.
Hill, Colonel E. S.
Hoare, E. B.
Hoare, S.
Hobhouse, H
Holloway, G.
Houldsworth, Sir W. H.
Howorth, H. H.
Hozier, J. H. C.
Hughes - Hallett, Col. F. C.
Hulse, E. H.
Hunt, F. S.
Isaacson, F. W.
Jackson, W. L.
Jarvis, A. W.
Jeffreys, A. F.
Jennings, L. J.
Johnston, W.
Kelly, J. R.
Kenrick, W.
Ker, R. W. B.
Kimber, H.
King, H. S.
Knowles, L.
Kynoch, G.
Lafone, A.
Laurie, Colonel R. P.
Lawrance, J. C.
Lawrence, W. F.
Lea, T.
Lechmere, Sir E. A. H.
Lees, E.
Legh, T. W.
Leighton, S.
Lennox, Lord W. C. G.
Lewisham, right hon. Viscount
Llewellyn, E. H.
Long, W. H.
Lowther, hon. W.
Lowther, J. W.
Macdonald, right hon. J. H. A.
Mackintosh, C. F.
Maclean, J. M.
Maclure, J. W.
M'Calmont, Captain J.
Madden, D. H.
Makins, Colonel W. T.
Mallock, R.
Maple, J. B.
Marriott, rt. hn. W. T.
Maskelyne, M. H. N. Story-
Matthews, rt. hn. H.
Mattinson, M. W.
Maxwell, Sir H. E.
Mildmay, F. B.
Mills, hon. C. W.
Milvain, T.
More, R. J.
Morgan, hon. F.
Morrison, W.
Moss, R.
Mount, W. G.
Mowbray, R. G. C
Mulholland, H. L.
Muntz, P. A.
Norton, R.
Paget, Sir R. H.
Parker, hon. F.
Pease, H. F.
Penton, Captain F. T.
Plunket, rt. hon. D. R.
Plunkett, hon. J. W.
Pomfret, W. P.
Powell, F. S.
Price, Captain G. E.
Puleston, Sir J. H
Raikes, rt. hon. H. C.
Rankin, J.
Rasch, Major F. C.
Richardson, T.
Ridley, Sir M. W.
Ritchie, rt. hon. C. T.
Robertson, Sir W. T.
Robertson, J. P. B.
Robinson, B.
Robinson, T.
Ross, A. H.
Round, J.
Sellar, A. C.
Selwyn, Capt. C. W.
Seton-Karr, H.
Sidebotham, J. W.
Sidebottom, T. H.
Sidebottom, W.
Smith, rt. hon. W. H.
Smith, A.
Stanhope, rt. hon. E.
Stanley, E. J
Stephens, H. C.
Stewart, M. J.
Talbot, J. G.
Tapling, T. K.
Taylor, F.
Temple, Sir R.
Thorburn, W.
Tollemache, H. J.
Tomlinson, W. E. M.

Vernon, hon. G. R.	Winn, hon. R.
Wardle, H.	Wodehouse, E. R.
Watkin, Sir E. W.	Wolmer, Viscount
Watson, J.	Wood, N.
Webster, Sir R. E.	Wortley, C. B. Stuart-
Webster, R. G.	Wright, H. S.
West, Colonel W. C.	Young, C. E. B.
Wharton, J. L.	
Whitley, E.	TELLERS.
Whitmore, C. A.	Douglas, A. Akers-
Wilson, Sir S.	Walrond, Col. W. H.

Clause 11 (Powers of Licensing Committee of County Council as to refusal of renewal of licences).

Question, "That the Clause stand part of the Bill," put, and *negatived.*

Clause 12 (Compulsory refusal of renewal of licence in consequence of report from Justices).

Question, "That the Clause stand part of the Bill," put, and *negatived.*

Clause 13 (Discretionary refusal of renewal of licence subject to compensation).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

MR. ILLINGWORTH (Bradford, W.) said, this was the clause that provided for the granting of compensation to publicans whose licences were taken away from them, and the Government would find that, at all events on the Opposition side of the House, there was an absolute unanimity of opinion that the clause should be buried. He believed it would be buried never to have a resurrection, and his only object in rising was to pronounce a sort of funeral oration over a proposal to improve the position of an interest which an overwhelming majority of the moral and progressive people of the country thought ought to be weakened rather than strengthened. It must be remembered that the abandonment of the whole of the Licensing Clauses of the Bill was entirely due to the attempt of the Government to give huge compensation to the publicans of this country. The country could look with satistion upon the step which the Government had been obliged to take. [*Interruption.*] If he was not allowed to proceed with the few remarks he had to make, he should have no alternative but to move that Progress be reported. It could not be unfitting that a proposal which had forced the Government to make an entire change in the policy of the Bill should receive some notice at the hands of the Committee. The country would be gratified to know that the agitation against that proposal had been so completely successful. The abandonment of the clause would make the task of dealing with the Licensing Question infinitely easier in the future. The Liberal Party had the satisfaction of knowing that the attempt of the Government to hand over to the publican interest huge sums of money, belonging to all classes of the people, had been completely thwarted. The Government had been obliged to acknowledge itself thoroughly beaten. The minority in that House had come out triumphant. [*Ironical Ministerial Cheers.*]

MR. W. REDMOND (Fermanagh, N.): Mr. Courtney, I wish very respectfully, on a point of Order, to call your attention to the continual interruptions of hon. Members opposite.

THE CHAIRMAN called upon Mr. ILLINGWORTH to proceed.

MR. ILLINGWORTH said, he should be very sorry to move to report Progress. It really would conduce to the progress of the Bill to allow him to make a few observations. He was about to say, that whenever the time came for making the measure complete in its character—and it would probably fall to the lot of the Liberal Party to make it worth something to the country—the task would be a comparatively easy one, now that this clause had been abandoned. The Government was afraid to proceed with the clause, and, in consequence, had had to withdraw from the Bill one of its main provisions.

Question put, and *negatived.*

Clause 14 (Power to purchase licenoe instead of paying compensation).

Question, "That the Clause stand part of the Bill," put, and *negatived.*

Clause 15 (Entire maintenance of main roads by County Council).

MR. BRUNNER (Cheshire, Northwich), in moving an Amendment, in line 7, to insert, after "1878," the words, "including any public footpath by the side of such road," said, that to those who travelled on foot, the highways were as valuable as they were to those who owned vehicles. It had been a matter of great astonishment to him, ever since

he had been a Member of a Highway Authority, that those who had the care of the highways had no right to spend any of the public money upon the footpaths. It seemed to him that foot passengers had just as much right to be considered as those who drove, and he thought he should have the sympathy of hon. Members on both sides of the Committee when he asked the Committee to assent to his Amendment, which imposed on the Highway Authority the duty of providing for the footpaths on the sides of the highways.

Amendment proposed, in page 12, line 7, after "1878," to insert the words, "including any public footpath by the side of such road."—(*Mr. Brunner.*)

Question proposed, "That those words be there inserted."

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, the Government could not assent to the Amendment, which would throw an enormous additional burden on the County Authorities. The Amendment would apply not only to ordinary footpaths alongside country roads, but also to paved footpaths on either side of main roads in towns. It was perfectly evident that the traffic on such paved footpaths was a local traffic. They were maintained at a much heavier expense than ordinary country roads, and the result of accepting the Amendment would be to throw an enormous additional burden on the county for the maintenance of footpaths with which the county had little concern.

MR. BRUNNER said, he would be willing to amend the Amendment, in order to provide for the difficulty which the right hon. Gentleman had referred to.

MR. STOREY (Sunderland) said, he knew of footpaths which were outside the hedges and yet ran parallel with the roadway. Such cases would come within the Amendment. Surely his hon. Friend never intended that footpaths of that kind should be kept up out of the county rate. If he did, he (Mr. Storey) should certainly vote against him. The objection urged against the Amendment by the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) was a very strong one. He knew a town in the county of Durham which got nothing out of the county rate at the present time for roads, but paid £700 a-year to it, and of another town in the same county which got £700 a-year out of the county rate and did not pay anything like as much. Under the Amendment of his hon. Friend, all the flagged footpaths in both these towns would be paid for out of the county rate.

COLONEL HAMBRO (Dorset, S.) asked the President of the Local Government Board what was to happen in the case of those footpaths which were on the sides of bridges?

MR. RITCHIE replied that those footpaths which were at present maintained by the Highway Authority would still be maintained by them under the Bill.

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe) said, the right hon. Gentleman the President of the Local Government Board had been quite right in pointing out that the effect of the Amendment would be out of all proportion to what its Mover intended, as it would throw upon the county rates the cost of maintaining all the footpaths alongside main roads in towns. Those footpaths were very properly paid for out of the rates of the towns. Under these circumstances, he hoped the Amendment would not be pressed.

Question put, and *negatived.*

SIR JOHN DORINGTON (Gloucester, Tewkesbury), in moving an Amendment, the object of which was to postpone the taking over of the management of main roads by the County Councils until the 1st of April, 1890, said that the County Council could not be elected until after the 14th of January, and could not meet until the 2nd Thursday after the day of election. It had then to select its county aldermen, and it would hardly be able to meet for business until somewhere about the middle of February. Yet on April 1st, it would, under the Bill, have to take over the control of the roads. The time given to the Council to prepare for taking charge of the highways seemed to him to be far too short. It would be necessary to select the proper persons to fill the office of county surveyors; because those at present existing did no more than inspect the roads, and, even if they were entirely in the employment of the county, they had other duties to

perform. Certainly, special arrangements would have to be made when they came to manage the whole of the main roads. He understood the view of the Government to be that, under the operation of an Amendment to be moved subsequently by the hon. and gallant Member for the North-West Division of Sussex (Sir Walter B. Barttelot), the County Councils would have power to contract with the existing Highway Authorities for the management of the roads. But, even if that were so, the time given them for making the necessary arrangements was far too limited. Much correspondence and negotiation was bound to take place, and he thought that further time ought to be allowed. If the Government would assent to the principle of the Amendment, no doubt some earlier date than he proposed would meet the object he had in view.

Amendment proposed, in page 12, line 7, after the word "shall," to insert the words "after the first day of April, one thousand eight hundred and ninety."—(*Sir John Dorington.*)

Question proposed, "That those words be there inserted."

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG) (Wilts, Devizes) said, he was sure that everyone would admit that everything that fell from the hon. Member who had just spoken on the subject of local administration deserved the attention of the Committee. At the same time, he hoped his hon. Friend would allow him to point out that if the Government accepted the Amendment they would be agreeing to a very serious postponement of the exercise of some very considerable powers conferred by the Bill on the County Councils. He really thought his hon. Friend somewhat exaggerated the difficulty which the County Councils would meet with in making the necessary arrangements for the maintenance of the highways. It was the intention of the Government to accept the Amendment standing in the name of the hon. and gallant Baronet the Member for North-West Sussex (Sir Walter B. Barttelot), under which power would be conferred on County Councils and District Councils to enter into contracts for the maintenance of main roads. At the present time, the Quarter Sessions had county surveyors, who, although they were not called upon to maintain the roads, were called upon to survey them; and it was only upon the issue of their certificates that the Courts of Quarter Sessions were able to pay the money required for maintenance. The only difference under the present Bill would be that the County Councils would have to make arrangement with the District Councils for the maintenance of the roads, and the surveyors would have power to point out where the local surveyors were in the wrong, and to demand that they should improve the roads in any direction the County Surveyors thought right. The Government were unable to accept the Amendment.

COLONEL HAMBRO said, he should certainly support the Amendment. If the Government would not allow the roads to be managed by the present Highway Authorities, he thought they ought to grant an extension of time.

MR. RITCHIE said, there was one matter which rendered it extremely difficult to accept the Amendment, and that was in connection with the question of finance. At present the Government provided one-fourth of the cost of maintaining highways, and the County Authorities provided one-half. The Government grant was now to be discontinued, and the County Authority was to be placed in such a position that it would bear the whole cost of the maintenance of the roads. It would be extremely difficult to arrange the financial details of the changes proposed by the Bill, if the finance were to come into the hands of the County Authorities in the spring, whilst the roads were not to be taken over until some time afterwards. The Government had no reason to suppose that the time between the election of the Council and the date fixed for taking over the new powers was not sufficient to enable it to make all necessary arrangements.

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he thought it would be a wise thing to allow the maintenance of the roads to remain in the hands of those who were at present repairing them, until they could be properly transferred to the County Councils.

MR. RITCHIE said, the Government did not intend to transfer compulsorily the repair of the main roads from the

County to the District Councils, but merely to allow the County Councils so to transfer them if they thought fit.

SIR RICHARD PAGET (Somerset, Wells) said, it would be very inconvenient for the County Councils to take upon themselves the management of all the roads within their areas; but the acceptance of the Amendment of the hon. and gallant Member for North-West Sussex (Sir Walter B. Barttelot) would enable them to depute the work to the District Councils, which would be a very convenient method of dealing with the matter. It was obvious, however, that this could not be done at once, if this clause came into operation before the District Councils were elected.

MR. HENEAGE (Great Grimsby) said, that at present the parish overseers maintained the roads under the supervision of the surveyor, and he wished to know whether it would be in the power of the County Councils to continue that arrangement until the District Councils were elected? If not, he thought it would be found that, in winter, when the roads were worst, there would be no one looking after them.

MR. RITCHIE said, the Government would accept an alteration in the Amendment of the hon. and gallant Member for the North-West Division of Sussex (Sir Walter B. Barttelot), providing that until the District Councils were set up the County Councils might call on the Highway Authorities to maintain the roads.

MR. HALSEY (Herts, Watford) said, he hoped the Government would grant some extension of time.

It being now 12 o'clock, Progress was reported.

It being Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again *To-morrow*, at Two of the clock.

MERCHANT SHIPPING (LIFE SAVING APPLIANCES BILL [*Lords*].—[BILL 290.]

(*The Earl of Onslow.*)

SECOND READING.

Order for Second Reading read.

MR. CRAIG-SELLAR (Lanarkshire, Partick) said, before a day was fixed for the Bill, he wished to make an appeal on behalf of the shipping interest in Glasgow, Liverpool, and other large ports, that an opportunity should be given for giving the Bill a full discussion. He hoped the right hon. Gentleman the President of the Board of Trade would recognize that the measure was of a character the principle of which could not be fairly allowed to pass *sub silentio*. It might be good or it might be bad in principle, on that he was not prepared to offer an opinion; but he asked that the Bill might be taken at such a time when full discussion could take place.

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS-BEACH) (Bristol, W.) said, when the Bill came on, a few days ago, he said, or attempted to say, to the hon. Member who offered opposition, that if the Bill were allowed to pass its second reading he would undertake that the opportunity should be given for fully discussing it in Committee. The hon. Member would be aware that at that time of the Session, and with the pressing claims of other Business, it was almost impossible to find time in the early hours of a Sitting for the discussion of such a Bill. All he could do now was to propose the Bill be *pro formâ* set down for to-morrow at 2.

MR. CONYBEARE (Cornwall, Camborne) thought the excuse offered was very inadequate. For a long time past the Government had had command of nearly all the time of the House, and they proposed to ask the House for the whole time. If, with such opportunities, they found it impossible to offer fair discussion of a Bill of this important character, it was only another evidence of their incompetence in the management of Business. The principle of the Bill had received no attention, and it would be altogether irregular to attempt a discussion of principle in Committee. He hoped the Government would see their way to accede to the proposal of the Liberal Unionist Whip.

Second Reading *deferred* till *To-morrow*, at Two of the clock.

LIFE LEASES CONVERSION BILL.

(*Sir Edmund Lechmere, Mr. Hastings, Sir John Puleston, Mr Radcliffe Cooke.*)

[BILL 99.] SECOND READING.

SIR EDWARD LECHMERE (Worcestershire, Bewdley) said, his wish had

been to pass the second reading of the Bill, but only in order that it might be referred to the Town Holdings Committee. In face, however, of the persistent opposition offered, he saw no prospect of that. The Bill would have been of great benefit to a large number of industrious people, but, with the greatest reluctance, he felt compelled to withdraw it.

Order for Second Reading read, and *discharged*:—Bill *withdrawn*.

SUPPLY [21ST JUNE].

Order read for resuming Adjourned Debate on Question [25th June],

"That this House doth agree with the Committee in the First Resolution, That a sum, not exceeding £1,410,000, be granted to Her Majesty, to defray the Charge for the Supply and Repair of Warlike and other Stores, which will come in course of payment during the year ending on the 31st day of March, 1889."

Question put, and *agreed to*.

Subsequent Resolutions again read.

Second and Third Resolutions *postponed*.

Fourth Resolution *agreed to*.

Postponed Resolutions to be taken into consideration upon *Monday*, 2nd July.

MOTIONS.

WAYS AND MEANS.

CONSOLIDATED FUND (NO. 3) BILL.

Resolution [25th June] *reported*; and *agreed to*:—Bill *ordered* to be brought in by Mr. Courtney, Mr. Chancellor of the Exchequer, and Mr. Jackson.

ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Jackson.*)

DR. TANNER (Cork Co., Mid) said, it would be greatly for the convenience of many Members who took a deep interest in the subject to know exactly when Committee on the Criminal Evidence Bill would be resumed. It had been postponed till Monday, but he should be glad to have an assurance as to whether it was really proposed to take it on that day?

THE SECRETARY TO THE TREASURY (Mr. JACKSON) (Leeds, N.) could only say that he was afraid it would not be possible to take the Bill on that day.

Question put, and *agreed to*.

House adjourned at ten minutes after Twelve o'clock.

HOUSE OF LORDS,

Friday, 29th June, 1888.

MINUTES.]—SELECT COMMITTEE—Elections (Intervention of Peers and Prelates in Parliamentary Elections), *nominated*.

PUBLIC BILLS—*First Reading*—Patents, Designs, and Trade Marks * (193); Reformatory and Industrial Schools * (194).

Second Reading—Committee negatived—Consolidated Fund (No. 2)*.

Committee—Companies Clauses Consolidation Act (1845) Amendment (170), *discharged*.

Report—Timber Acts (Ireland) Amendment (188).

Third Reading—Suffragans' Nomination (176), and *passed*.

PROVISIONAL ORDER BILLS—*First Reading*—Local Government (No. 5) * (192).

Second Reading—Public Health (Scotland) (Kirkliston, Dalmeny, and South Queensferry Water) * (177); Drainage and Improvement of Lands (Ireland) * (179); Local Government (No. 6) * (181); Local Government (No. 9) * (182); Local Government (No. 12) * (183); Tramways (No. 3) * (191); Gas (No. 1) * (180).

REFORMATORY AND INDUSTRIAL SCHOOLS BILL.

BILL PRESENTED. FIRST READING.

LORD NORTON, in rising to call attention to the urgent necessity of consolidating and amending the enactments relating to reformatory and industrial schools, and to present a Bill, said, that lately, in answer to his noble Friend (Lord Aberdare), the Government promised a Bill before long, embodying the Report of the Royal Commission on Reformatory and Industrial Schools issued four years ago, and that it should be introduced in time to correspond with any treatment of the subject in the Local Government Bill. There was a Bill just now brought up from the other House dealing partially with the subject. He asked for a first reading of the Bill which he introduced in their Lordships' House soon after the Report, which there had

been no opportunity of pressing forward. He was anxious that the three Bills should be considered together. The Bill he now introduced claimed to be a consolidation of all existing Acts, which he maintained was most desirable. But it also involved amendments in the law which, to his mind, were quite as desirable. Principally it proposed to place such schools and their teachers and their special inspectorate under the School Department, taking them from the control of the Home Office, and making the punishment of juvenile convicts distinct from their education, which, while under police and magisterial treatment, kept up a criminal character in the children, and hindered their getting the employment they were trained for. Youths convicted of crime should be appropriately and adequately punished, and afterwards disconnected from all criminal associations and educated in reformatory schools as schools. The neglected children who were sent to industrial schools should certainly have no penal or police character connected with their education at all. That was a mischievous folly, and greatly frustrated the object of the State, *in loco parentis*, sending such children to school. The language of the Acts showed that this was not fully recognized when they were passed, as it was in the Commission's Report. The schooling was made part of the penal sentence, and the assigned term of education which was in the nature of an apprenticeship to a trade was called "a detention in custody." There was really no possible distinction of actual treatment in these schools from that in other national schools, excepting that they were boarding schools and gave an industrial training. But they were damaged by their police character. His Bill enabled any interval between punishment and sending to school to be spent in proper care, and provided that children should never be sent to common gaols. It also facilitated the recovery of payments from parents, and adjusted the at present wasteful Treasury contributions. At the same time, it encouraged philanthropic management and private subscriptions. He hoped that their Lordships would give the Bill a first reading in order that it might be considered with the other Bills.

Lord Norton

Bill to consolidate and amend the enactments relating to Reformatory and Industrial Schools in England and Wales.—*Presented* (The Lord NORTON).

EARL BROWNLOW said, that on the part of the Government he should not offer any opposition to the first reading of the Bill, but at a later stage it would be his duty to point out the great difficulty that would arise in carrying out the idea of the noble Lord of transferring the management of these schools from the Home Office to the Education Department. Of the very strong Commission which was appointed to inquire into the subject, the majority held different views from those of the noble Lord. He understood the noble Lord to propose that the Bill should be read a first time and printed and allowed to lie upon the Table in order that it might be taken with the other Bills dealing with the subject. That being so, he had no wish to oppose the introduction of the Bill.

LORD ABERDARE said, that any opinions of his noble Friend on this subject were, of course, worthy of attention and respect, but he was bound to say that his recommendations were entirely opposed to the views of the other Members of the Commission. His noble Friend entered upon the Royal Commission with his opinions made up, and he did his utmost during the course of a very long inquiry to induce his Colleagues to adopt them—but at the end of the discussion, in spite of the respect they all entertained for his noble Friend, not one single Member of that Commission was, he believed, won over to his side. There was a Bill now before the House dealing with a small fraction of this question, and he hoped that the House would have an opportunity of considering the several Bills together.

LORD NORTON appealed to the noble Lord, as Chairman of the Commission, to say whether the Commission did not recommend that these schools, so far as education was concerned, should be placed under the Education Department; that their separation was of the greatest disadvantage to the teachers; and that, at all events, day industrial schools were wrongly placed in the Home Department.

LORD ABERDARE said, it was quite true that the Commission recommended that the appointment of the masters and the direction of the education should be placed in the hands of the Education Department, but not the general management.

EARL STANHOPE said, that as Chairman of the County Industrial Schools in Kent, he should like to see the recommendation of the Commission carried out as to the Education Department being given the control of education, while discipline and general management were left with the Home Office. It was likely that they would have to establish a sort of special department of the Education Office to deal with industrial schools, as the education given there was of an inferior kind, the children being drawn from the least educated classes.

Bill read 1ª. (No. 194.)

IMPERIAL DEFENCE—ORGANIZATION OF OUR NAVAL AND MILITARY SYSTEM—POSSIBILITY OF INVASION.

RESOLUTION.

THE EARL OF WEMYSS, in rising to move—

"That, having regard to the recent statements of His Royal Highness the Commander-in-Chief, of the Adjutant General, and of high naval authorities, as to our defective armaments, and having also regard to the increased armaments of foreign nations on sea and land, this House welcomes the proposal of Her Majesty's Government for an increase of our defensive means, and confidently looks to their forthwith taking such further measures as will give ample security to our Empire and just confidence to the country,"

said, *pace* the Lord Mayor, and—since he made that remarkable speech last Wednesday on the Channel Tunnel—*pace* our late Protean Premier, he was not ashamed to proclaim himself an alarmist, and to frankly confess that he had been an alarmist for 40 years. For nearly 30 years he had been connected with the Volunteer Force, and what were the Volunteers if they were not alarmists? There were 200,000 of these serving at the present time, and over 1,000,000 who had passed through the ranks, and they had served because the state of the defences of this country was not such as it ought to be. This was because Government after Government had not the courage—and he did not believe would have the courage—to enforce the existing law of compulsory service for home defence, which was the existing law of England in the ballot for the Militia. The existence of the Volunteer Force, however, gave rise to a false sense of security, for the inefficient organization of the Volunteers rendered them a force which could not be trusted alone with the defence of this country. There had been alarmists before now. The first alarmist was the great captain of the age, the Duke of Wellington, and it was he who, in that celebrated letter to General Burgoyne, raised the first note of alarm. Lord Palmerston was the next, and he raised £10,000,000 to put our fortresses and Dockyards into a condition of safety. Who were the alarmists now? Among them there was the Commander-in-Chief and the Adjutant General. Recent speeches delivered by the Illustrious Duke (the Duke of Cambridge) and the noble and gallant Viscount (Viscount Wolseley) must be in the recollection of their Lordships. Much was said in disparagement of alarmists and scares, but he was prepared to assert that it was only owing to the scares which periodically occurred that anything was really done in the way of improving our armaments and the defences of this country. The first scare was, no doubt, that caused by the Duke of Wellington's letter in 1847. There was then no Militia and no Volunteers, and only a very small Army. In 1852 the Militia Bill was introduced, which led to the re-establishment and revival of the Militia, and this was undoubtedly due to the letter of the Duke of Wellington a few years before. In 1859 there was the Franco-Italian War, which led to the establishment of the Volunteers. In 1862 there was the Trent affair, which led to the increase of the Army by 35,000 men. In 1870 occurred the Franco-German War, and as the possibility occurred that we might have to maintain the integrity of Belgium, the Government proposed to Parliament to increase the Army by 20,000 men, wherewith to drive out of Belgium whichever of the contending hosts ventured to cross its frontier, and of these 20,000 it took six months to raise 10,000. Following upon this scare, Mr. Cardwell, in 1871, introduced his Army Reform scheme, which was to have

put an end for ever to the recurrence of panics. He would not enter into a discussion of that scheme, and would only say that it had certainly not had this effect. In 1878 there was the Russo-Turkish War, which led to an increase in our Army of 50,000 men. In 1882 the war in Egypt led to an increase of 6,700 men to the Army. In 1884-5 we had the question with regard to the Russian frontier of India, when the First Lord of the Admiralty, who brought forward the Estimates, came down to Parliament and asked for £5,000,000 as a supplemental grant for the Navy. In 1886, 9,300 men were added to the Army in India. He did not know whether it would be quite accurate to say that there was a scare just now. Before the speeches of the Illustrious Duke, of the noble Viscount the Adjutant General, and of other distinguished men, the Government, he knew, had been working to improve the military organization, and had done a great deal, but still he hoped that by the force of public opinion they might be induced to do a great deal more. Burke said—

"Early and provident fear is the mother of safety; for in that state of things the mind is firm and collected and the judgment unembarrassed; but when fear and the thing feared come on together and press upon us at once, even deliberation, which at other times saves, becomes our ruin, because it delays decision; and when the peril is instant the decision should be instant too."

These words ought to be written up over the doors of the War Office and Admiralty. The state of the Navy was now the question of the hour. So many statements and counter-statements were made upon the subject that it was no easy matter for anyone who was not a naval man to arrive at any very definite conclusions. He had, therefore, taken the pains to obtain as good a naval opinion as could be got—the opinion of Sir Spencer Robinson, some time Comptroller of the Navy—and after submitting that opinion to other naval officers he had drawn up a summary of the views expressed by them and Sir Spencer Robinson, and that summary he would lay before their Lordships. First as to our naval administration. On several occasions our system of naval administration had been shown to be a failure. It was shown to be a failure when Lord Northbrook asked for £5,000,000 extra in 1884-5, and when recently £6,000,000 were asked for to provide guns and ammunition and £4,000,000 granted. It was shown to be a failure now when ships which were ready had to wait for their guns till the Spring of 1889, and when guns having come to grief afloat, others were taken from forts already insufficiently armed to supply their places. He sincerely hoped that the Committee of the Cabinet would mend our system of administration both in regard to the Army and Navy. Now he came to consider the Fleet. What was its duty? Not to defend arsenals, fortresses, and commercial ports, but to blockade an enemy's fleets, capture or sink them at sea, protect our commerce, and secure our food supply in war. What were our means of fulfilling this duty as compared with the means possessed by France? Sir Spencer Robinson said—

"No blockade will hermetically seal the ports of such a maritime power as France, but a blockade may be largely effective if carried out by a superior force. In addition to an unmistakable superiority outside there will be required a force in reserve somewhere in the Channel equal to the blockaded fleet should it or a sufficient part of it get to sea; while to maintain the coal and other supplies necessary to the blockaders, their numbers must exceed that of the blockaded fleet—say, by 33 per cent, so as to allow for a certain number of ships replenishing their stores in turn. To do this effectively we should require nearly the full number we possess available in 1890—of which four or five will be on foreign stations, leaving none to watch Russian ports or in reserve. To accompany the Fleets necessary for blockade 30 or 35 cruisers over 15 knots would be required (the eyes of the Fleet). We have only 42 or 43 in all, leaving seven to 12 cruisers to watch the 40 French cruisers of the same speed or the greater number of them not with their own iron-clads in port."

Now, what was the comparative strength of the two Navies in iron battle ships? In 1890 England would have 42, France 38, not all of either Power being fit for all services, but all being fit for defence. It should be observed here that the French boilers were supposed always to be in a better state than ours. Of commerce protecting and destroying cruisers we possessed 121, while the French, including gunboats, had 126. In cruisers, speed was everything; therefore it was important to compare the relative speeds of the cruisers of the two countries. Of cruisers exceeding

14 knots in speed England had 52, and, including 12 armoured cruisers, 64. But of these 12 seven had their armour below water. That was very much as if a man were to order a chest protector and wear it upon his stomach. In addition, six cruisers of the *Barracouta* class were being built of 16 knots, but these were practically obsolete *ab ovo*. France had 63 cruisers, including four armoured ones, and the speed of some of these was 20 knots and upwards. In England only two had this speed, but 21 more of 22 knots were being built. In France nine of 20 knots and upwards were being built, and one of them would have a speed of 25 knots. Of subsidized merchantmen, England had 20, of which two were of 19 knots, and all of considerable coal endurance. From France there were no statistics relating to this class of vessel. Estimating the comparative protection afforded by the two countries in proportion to the number of their merchant steamers, he found that whereas the relative protection afforded by Great Britain to her merchant steamers was as 1 to 90, in France the protection afforded was as 1 to 10. In the early part of the century the protection afforded by the navy to our mercantile marine was 6 per cent; it is now 1 per cent. Some people would say that our commerce would always be safe under the system of neutral flag protection. Not a very noble way for the Mistress of the Seas to protect our trade in war time. But the system must result in severe loss, as was proved by American statistics. In 1860, before the Civil War, the tonnage cleared in American ports was 12,087,000 in her own ships—nearly equal to our 13,914,000 cleared in British ports from our own ships. In 1870, the United States tonnage was under 7,000,000, while ours was over 25,000,000, and at present the United States tonnage was still lower, while ours stood at 47,000,000. Sir Spencer Robinson said that "if he had to fix our force in proportion to our wants he would say that six additional battleships were imperatively required, 60 first-class swift cruisers of 22 knots, a host of lighters, barges, and vessels to be used for rapid coaling, and an extension of electric cables to many important points now without them, or not in our hands." We further wanted a definite policy and programme; and as to this he had hope in the Committee of the Cabinet. A question had arisen as to the tonnage required for the invasion of this country. The First Lord of the Admiralty spoke of 480,000 tons, but there were experts who said that only 150,000 or 160,000 tons would be necessary; while at Havre alone there were 75,000 tons of shipping and five miles of quays. The Army was admitted to be low in numbers; the illustrious Duke wished to add 11,000 men, and others still more. Whenever we were called upon to send a portion of the Army into the field we had invariably to call for Reserves, for no regiment was kept up to the full strength with men of proper age. Our Army was still unarmed with repeaters, while other Armies had them; and there were many other things that were wanted. One great defect of the Militia was that it was generally somewhat under its nominal strength, and if troops were called out the Army "Militia Reserve" went back to the Army. The idea of General Peel in forming the Militia Reserve was that for every man enrolled in the Reserve another should be put on the strength of the regiment, and that the Militia Reserve should be supernumerary. As regarded the Yeomanry, the idea was that it should be converted into Rifle Cavalry, and made the Cavalry Force of the Reserve Forces, carrying a long rifle. The Volunteers had long been without the organization they ought to have, and there was no reason why they should not have had it any time during the last 25 years, or ever since they had a *bonâ fide* existence. Nothing had been done; they had had no transport and no Artillery; but since the present Government had been in Office artillery was being supplied and arrangements were being made for the supply of transport. The Government, to their credit, had also brought in a Defence Bill. He would not say that the Volunteers were treated harshly in the Bill, but what they dreaded was being sent to serve a long way from their homes. Explanations had been given which would do away with alarm, but it would be well that words should be introduced into the Bill to provide that, except in great emergency, the service should be so arranged by a system of reliefs that it should not press unduly upon professional men and expose those in situations to the loss of their employ-

ment, and further, that, as far as practicable, they should be called upon to serve in their own localities. He congratulated the Government upon their having done so much in the right direction. Still formulating what was said by the "man in the street," he should say that we wanted most a small permanent augmentation to the Army, say 20,000 men, so as to have all our garrisons abroad kept always at an efficient strength, and that we should send no more boys to hot countries to die like flies. When the reservoir of men at home ran low we had to send boys abroad instead—an inhuman and very costly proceeding. Secondly, we wanted the stores and equipments for two Army Corps for foreign service and for one corps besides on a reduced scale for home defence. That was, we should have three Army Corps of regulars for home work, out of which two would always be available for foreign service when required. These seemed to be our imperative requirements in the opinion of those most competent to judge. Whatever was necessary to be done ought to be done quickly, with the decision manifested by Lord Palmerston when he asked for £10,000,000. His Motion was not brought forward in a hostile sense; indeed, it was almost a Vote of Confidence in the Government. It was certainly not brought forward in a Party sense, for this question was above all Party considerations. It was the most vital question that could be submitted to Parliament, involving the security of our Empire and the defence of our homes and the strength of England, which was in itself a security for the peace of the world. In reply to the suggestion that the defence of the country had been sacrificed to Party interests, the Prime Minister had earnestly protested against the idea that for the purpose of making a good Budget any Party would consciously risk the interests of the Empire. But the noble Lord whose speech was thus protested against only said what civilians and military experts were saying. Mr. E. Stanhope and Mr. W. H. Smith were examined before Sir James Fitzjames Stephen's Commission in 1887. Mr. E. Stanhope said—

"Within recent years Secretaries of State have allowed their stores to be reduced to the vanishing point, with the result of positive danger to the country."

Mr. W. H. Smith described the way in which his Estimates were dealt with by his Cabinet. He said—

"His Colleagues when he presented his Estimates said to him 'You must take off half a million' and this was effected by doing without guns, reducing the number of men, and diminishing stores, &c."

Our ships were now waiting for these guns and our fortresses were unarmed. Lord Wolseley before the same Commission said—

"We are not in the position, military speaking, we ought to be in, nor do I believe we are in the position we should be in if the English people were told the whole truth."

This scare or panic, call it what they pleased, and the speeches of the Illustrious Duke and his noble Friend behind him (Viscount Wolseley) and other experts in the Navy and Army, would open the eyes of the Nation to the true state of things. He might define panic as the temporary waking up of the nation from that deep, chronic sleep into which it was thrown and kept by the mesmeric passes of Ministerial manipulation. He ventured to think that upon such a question as this the opinion of experts and of men belonging to the professional classes should receive attention, and he was certain that his noble Friend at the head of the Cabinet trusted in the patriotism of the nation—of the nation as a whole composed of all classes—and not as narrowed by Mr. Gladstone, who excluded from the nation what he called society — professional men — literature and science; and so, trusting the nation, he hoped he would show that, whatever may have been previously the case, it should now be said that under his administration loyalty to Party Budgets was little short of treason to the State. He, therefore, trusted that the Government, backed by public opinion, which he believed was thoroughly with them, would take such steps as would once and for all give to the nation with regard to its armament ample security for the safety of the country. In conclusion, he moved the Resolution which stood in his name.

Moved to resolve,

"That having regard to the recent statements of His Royal Highness the Commander-in-Chief, of the Adjutant General, and of high naval authorities, as to our defective armaments, and having also regard to the increased armaments of foreign nations on sea and land,

this House welcomes the proposals of Her Majesty's Government for an increase of our defensive means, and confidently looks to their forthwith taking such further measures as will give ample security to our Empire and just confidence to the country."—(*The Earl of Wemyss.*)

VISCOUNT WOLSELEY: My Lords, I do not intend to follow the noble Earl by discussing all the very interesting topics which he has raised, but I may be permitted to make a few observations upon one point to which reference has been made in the public Press of late, and which, in my opinion, is one of very great importance—namely, the liability of this country to invasion, and more especially the size of the fleet which would be necessary to bring across our short Channel a small army, which, it is believed, could be landed easily on our shores with the intention of a rapid march on London. This subject of invasion can be discussed with advantage and without giving offence to even the most tender susceptibility on the part of any nation. I should be sorry to discuss this subject if I thought it would give the least offence to Foreign Powers with whom we have been so long on the most amicable terms. The reason I bring this subject before your Lordships is that on a recent occasion when I spoke in this House, I quoted evidence which I gave a year before with regard to what I believe to be a well-known fact, and one which has been brought forward by men of the greatest eminence in this country—namely, that this country is at all times liable to invasion. The question of invasion has been studied most deeply by all the greatest soldiers and sailors of the century, and notably by the great Napoleon, by the Duke of Wellington, and by the distinguished Admirals and Generals who have succeeded since the Duke of Wellington's death. The question has been so frequently considered that it would require courage amounting almost to temerity on the part of anyone to stand up either in this House or in any other public assembly and express views contrary to those held by men of the eminence of those to whom I have referred. In the speech to which I referred, it may be remembered that I mentioned the possibility of 100,000 men being landed on our shores in a very short time from across the Channel for the purpose of capturing London. A short time after I made that statement, the First Lord of Admiralty, in "another place," on the 4th of June, made a statement, I suppose with the very best possible intentions, which elicited a good deal of criticism in the Press. The noble Lord wished to show the absurdity of the men who impressed on the nation the imminence and possibility of this invasion, and he stated, in the clearest terms possible, as Minister at the head of the Board of Admiralty, that it would be necessary, in order to transport this army, to have a navy of 480,000 tons gross burden. This is a point to which every General and Admiral has given a great deal of attention, and I am justified in saying that none have given it more attention than myself. I can most positively assert that when the noble Lord stated that a Fleet of 480,000 tons would be required, he exactly multiplied by three the amount which would be actually necessary for the purpose described. I was so astonished in reading that statement, that my first impression was that either he or the reporters had made a mistake. I thought he meant to say 180,000 tons. I waited for a couple of days to see whether a contradiction would be made, but none appeared. Meanwhile the newspapers very commonly—especially those that consider it very desirable and wise to always expect fair weather and to anticipate no danger—dilated very strongly on the absurdity of men like myself venturing to talk of invasion when no invading army could come unless provided with an enormous amount of tonnage. I then gave the most unqualified contradiction to what I thought to be the most erroneous and most misleading statement of the First Lord of the Admiralty. I stated that a fleet of from 150,000 to 170,000 tons would be able to bring over an army of 100,000 men intended for the capture of London. I thought that that statement would have been generally received, and that the noble Lord would have consulted his distinguished Colleagues and expert advisers upon the point. I knew that if he had done so he would have obtained from them a full statement that he was entirely wrong and that I was correct. Instead of doing so, within a very short time afterwards he seems, by means of a friendly question addressed

to him in the House of Commons, to have availed himself of his position to reiterate the fallacious figures he had previously given. Nothing is further from my intention than to impute to the noble Lord the wish to mislead the English people by false calculations. I am quite certain that nothing is further from his mind. But I cannot help thinking that it was a very serious thing if, as I believed was the case, he made the statement without having duly consulted those provided for him by the nation to advise him on these important points. I wish now to repeat that an army of 100,000 men intended for the invasion of this country and the capture of London could be transported across the Channel with the greatest possible ease in a fleet the size of which was 150,000 or 170,000 gross tonnage. I wish to emphasize that statement by saying that there is now, at this moment and every day of the year, in the ports of France ample shipping and tonnage to bring that army across the Channel. What is more—and this bears very directly on the point of the possibility of invasion—remembering that the permanent peace establishment of the French Army is nearly 500,000 men, I contend that it would be the very easiest possible operation for the French Authorities, if they wished to do so, to collect 100,000 men, with an Artillery consisting of 300 guns, in the ports bordering on the Channel in one night, without even informing the men who were to be embarked as to their destination; and your Lordships are well aware how short a time it would take to cross the Channel. The noble Lord who represents the War Office, when he answers the remarks made by the noble Earl in front of me, will, I hope, afford us some information as to whether this serious question has been considered by Her Majesty's Government; whether it has been put to the experts of the Army and Navy to say whether they think those statements that I have given as to the tonnage required for such an army of invasion as I have referred to are correct; or whether the statement of the noble Lord at the head of the Admiralty is correct. The question is too important not to receive an answer; and I think it is due to your Lordships' House that we should have a statement made here and that we should be told whether the noble Lord at the head of the Admiralty is correct in the statement which he made in "another place" or whether the statement I have ventured to make this evening is true or not. My Lords, I regret very much to have had to make these remarks at all, and I regret still more that an official of Her Majesty's Government, a Cabinet Minister holding the position which the First Lord of the Admiralty occupies, should on his own motion or initiative, without consulting the experts whose place it is to advise him in such matters, have made—although not willingly, I am sure, on his part—a wild and extravagant and a misleading statement on a subject of the most vital importance to the country.

THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS) said, that with regard to the point raised by the noble and gallant Viscount, it was one which had far better be dealt with by a Cabinet Minister; but as his Lordship had put a direct Question to them—namely, whether the question of the possibility of transporting or as to what was necessary for transporting an army of 100,000 men from the Continent to England had been referred to the Military Authorities for their opinion—he answered unhesitatingly that it had.

VISCOUNT WOLSELEY: Perhaps the noble Lord will kindly state what was the result of that inquiry or reference to the Military Authorities.

LORD HARRIS said, that that was a point which had better be dealt with by a Cabinet Minister; it was not one with which he was acquainted. The noble Earl who had moved that Resolution was always prepared *cap-à-pie* on those occasions and came down with Horse, Foot, and Artillery, but he never remembered his having previously added Marines to his force. He thought, however, that the Government had no reason to be dissatisfied with either the form of the Resolution, the quarter from which it came, or the time at which it was made. He construed that Resolution as one of rational criticism, combined at the same time with confidence in Her Majesty's present Government as regarded what they had done and also a belief that they would do their best in future to make the Army efficient. Now he thought they might hope that the first spasm and premonitory symptoms of panic had passed away, and that they

now were all, whether they were pressing for expenditure or were on the side of the economists, ready to look at questions affecting the protection of the country in the future in a calmer frame of mind. The noble and gallant Viscount had already in that House expressed very much the same sentiment of confidence in the present Government as the noble Earl now did, and considering the tone that had been assumed in the public Press in respect to the military administration of the country, he thought he was justified in quoting the expressions used some weeks ago by the noble and gallant Viscount in that House. The noble and gallant Viscount then said—

"But even if I were (*i.e.*, a politician), I could not with any honesty attack Her Majesty's Government for neglecting to attend to the interests of the Army and Navy. From the position which I occupy in the administration of the Army, no man is more thoroughly aware than I am of all that the present Secretary of State for War has done and is doing in order to render the navel and military forces of the Crown efficient in every way and worthy of the nation."—(3 *Hansard*, [326] 94.)

And again—

"I know how sincerely and deeply the Secretary of State for War desires to make the Army efficient. I have already alluded to what he has done in the short time he has been in office to improve not only the efficiency and organization, but also the discipline of the Military Forces."—(*Ibid.* 97.)

And again—

"Since Lord Cardwell introduced the great reform of the Army, and changed the basis of our military organization, no Administration has done so much as the present Administration for the Army, or has introduced so many beneficial changes in the short time they have been in power."—(*Ibid.* 96.)

The noble Earl had opened his speech by confessing that he had been an alarmist. Now, he trusted that he should not be accused of official optimism. He thought there was a happy mean between the two, and that the Government were justified in resisting unreasoning pressure for extravagant and ill-considered expenditure, with the right object of taking care that what money was voted should be properly spent. Money voted in a hurry was usually spent in a hurry, and in all probability those who so spent it would have to repent at considerable leisure. The noble Earl had acknowledged that one step taken by the Government was not the result of what he had called the panic of the other day. The Secretary of State for War had laid before Parliament at the commencement of the year a Memorandum in which he clearly pointed out that during last year a Committee had been sitting which took into careful consideration what was necessary to complete at once the armament and the works of our coaling stations, also what was necessary for the works and armaments of our Imperial ports, and what the Committee thought it was advisable should be spent on our commercial harbours. That Memorandum went into detailed statement, and said clearly that it was the intention of the Government to ask for a considerable sum outside the Estimates and for a loan in order that those works should be proceeded with as soon as possible. That document was laid before their Lordships and the other House certainly two months ago or more, and many of the articles recently published in the Press read as if no idea of that Memorandum had been before the writers at the time they wrote. The sum for which the Government had asked under the Imperial Defence Bill was no small one—it was £2,600,000. The Secretary of State in his Memorandum did not pretend that that was all that was necessary. He acknowledged that it was not, but said distinctly that he asked for that sum because from the opinions of his expert advisers and of those who appeared before the Committee last year, he believed that was as much as could be spent within the time. That, he hoped, was a well-considered scheme of expenditure, not a hasty and extravagant one. And, if he might say so with deference to the noble and gallant Viscount, he would observe that when he made his speech in the House, in which he did ample justice to the Government, he thought that justice was done somewhat tardily, and the noble and gallant Viscount had until then omitted in his speeches in different parts of the country to notice that the Government were asking from the nation very large sums to complete its defences. The noble Earl had alluded to the question of guns having been removed from men-of-war owing to the necessity of relining or owing to some failure of the lining and to their having been replaced through the land service. That had been done to his

knowledge in two recent cases. He did not attempt to defend it, but he had only to say that in both of those cases the guns were taken from the second land line of defence, and that it had been the invariable policy of the War Office to give way in everything to the Navy, recognizing to the full that it was the first line. Then the question arose, what was the condition of this country at present with respect to the provision of armament? That undoubtedly was a most important question, touching, as it did, both Services. Undoubtedly there had been recent failures in guns, which had been brought before Sir James Fitzjames Stephen's Commission and had been reported in the newspapers, and that might lead those who studied the question to have very grave fear whether this country would be able to keep up its title to be a great manufacturing country. Many of the statements on the subject, however, had been greatly exaggerated. If a crack was reported in the lining of a gun, it did not necessarily follow that if the ship were on service the particular gun would become inefficient. It was a fact that many rounds had been fired from guns after the lining had been cracked, and that the shooting of the guns had not been spoilt. But it was absolutely necessary that the manufacturers of this country should, by study and experiment, produce guns as little liable to those accidents as possible. He doubted, however, if they could evolve, without experience, any better system than at present existed in this country for studying the science of gun-making. They had on the Ordnance Committee now sitting not only two officers of the Navy and a distinguished engineer, but within the last five years what were called specially associated members had been added—a member from the Armstrong firm, a member from the Whitworth firm, General Maitland, the head of the Ordnance Factory, and Lord Armstrong himself. They sat first of all on the question of ordnance construction in 1883; they were called together after the failure of the Collingwood guns in 1885; and they were now sitting on two important questions connected with the rifling and lining of guns. The Government were occasionally pressed from outside that if they could not get good enough guns in this country they should go abroad. But what security was there that the Krupp guns would be better than our own, or would be supplied more quickly? That was a question which had been looked into at the War Office, and it was his decided opinion that if you went abroad you would not get guns any quicker or any better. From the evidence taken by Sir James Fitzjames Stephen's Commission there was no doubt that there had been failures in Krupp guns as well as in ours; but in the case of foreign nations there was not the same publicity given to such matters as in this country. He wished their Lordships distinctly to understand that the Military Authorities—those in a political position—had recognized as clearly as possible the absolute necessity of advancing as rapidly as possible in the manufacture of perfect guns, and they believed they were doing what was best for the country and for the efficiency of the two Services at this moment. The noble Earl alluded to the fact that in every regiment of the 1st and 2nd Army Corps there was a certain number of young recruits, and if the regiments were sent on foreign service those young recruits would have to go out or to be replaced by older men from other regiments. As long as we kept up our present system of recruiting, we must have a number of men under age whom we should not wish to send to India. But if you wished to send on foreign service only those who were not above 20 years you would have to increase your Army. That was a question which it was not possible for him to discuss. It was only those in the position of Cabinet Ministers who could consider the whole matter from the financial and other points of view. You could not separate responsibility for the size of the Army and the efficiency of your military arrangements from financial responsibility. The Cabinet had most distinct responsibility to the nation, and it would be impossible to withdraw that responsibility or any other responsibility which rested on it. The noble Earl referred to the fact that we had not a magazine rifle at present in the British Army. Now he was under the impression that there was no Army on the Continent completely armed with the magazine rifle.

THE EARL OF WEMYSS: Completely.

LORD HARRIS said, he believed there was one Army with a good number of those rifles; but he had it on the authority of a gentleman recently on the East Coast of Africa that he had an opportunity of trying the Martini-Henry carbine against the repeating carbine, and the Martini-Henry beat it in every respect. In the matter of rifles, he trusted the country would not press the Government. It was said, no doubt, that they had been studying this matter a great number of years, but that was not actually the case. It was only in the summer of last year that the calibre of the rifle was adopted. That was an important change, and it resulted that they had not been able to perfect the magazine rifle, which was now about to be tried, in all respects, as quickly as they originally supposed. He did not believe we had lost anything by that. They had gained, as other nations had bought a dear experience owing to being in a hurry. He was happy to be able to say that rifles for trial had now been issued to troops in England; some were being sent to Egypt this week, and he hoped a further assignment would be sent to India and to Halifax next week. Their Lordships must remember that the British Army had to fight in every climate in the world, and that every arm and every kind of ammunition must be tried in every climate, and that it required time for proof. The noble Earl referred to the Militia Reserve. At the time when the Militia Reserve was started, it appeared, from the noble Lord's own speech, that the country had not that magnificent force of Volunteers which it had now. That must distinctly affect the question of our Home Army; and in the presence of the Military Authorities he challenged the assertion that the Militia Reserve would be withdrawn from the Militia if an attempt at invasion was made. Under those circumstances he believed the Militia Reserve would stay with their Battalions. At this moment we were not able to recruit the Militia up to its full strength, and, therefore, the idea that for every Militiaman who joined the Reserve an additional man should be added to the Militia would be difficult to carry out. Owing to the greater demand in the labour market or to the greater attraction of the Volunteers, they had not been so successful in getting men for the Militia last year as in the two or three preceding years. Personally, he was entirely with the noble Earl in his view that the Yeomanry should become mounted rifles, but that was a change which required trial. If the regiments expressed a desire to try a long rifle, no objections would be taken to such a course at headquarters. The noble Earl said that the Volunteers had no organization and no artillery. In the last two years, however, the Government had done everything in their power to improve the organization of the Volunteers and to supply them with artillery. The whole of the 84 guns promised to the Volunteer Corps had been issued and were now in their possession; and with regard to 16 and 20-pounders the Department was now in communication with officers of the artillery Corps as to their willingness to accept them, but those officers had to look for a place to store them in. The noble Earl referred at some length to the Defence Bill. About that he would say nothing, as it was now before the other House, and when it came up to their Lordships' House the noble Earl would have an opportunity of moving any Amendment he thought proper. The noble Earl also brought forward his old friend, "the man in the street." He did not know whether the noble Earl expected the Government to accept the figures as really reliable. The Government would not be satisfied with the expression of opinion of "the man in the street;" but, as they had done in the case of the armaments and the works for our coaling stations and for the Imperial ports and commercial harbours, they would insist upon a careful examination of the figures, so that when they put their figures before the House of Commons and the country they could say that they had carefully looked into them and could guarantee their accuracy. The present Government had done their best to make some changes which would benefit the Army, and he had brought forward the hon. and gallant Viscount's evidence of that fact. They had been working under an abnormal pressure. There had been sitting Sir James Fitzjames Stephen's Commission, the Estimates Committee of the House of Commons, Sir Matthew White Ridley's Commission on the Civil Services, and the Committee on the ques-

tion of the Defence of Imperial Ports and Coaling Stations. There had also been tremendous pressure put on the War Office in elaborating the mobilization scheme. In all these circumstances, he thought it would have been excusable if the Government had been unable to take up any great changes as regarded the Army. As regarded the Volunteers and Auxiliary forces, they had been enabled to introduce beneficial changes, and as regarded the organization of the Services, although it could not be laid down as a matter of fact that the changes they had introduced were beneficial, at least they could say that they believed them to be so. It was impossible to say in the moment whether a change in organization would in the course of six or seven years prove to be beneficial. It must, however, be acknowledged that the principle the present Government had introduced, that weapons, stores, and equipments for the Army should be examined, proved, and tested in a department different from that which purchased or supplied them, was a right principle. As regarded the changes at the War Office and in the Army, the Government were entirely responsible, and they were responsible for the changes introduced in consequence of the inquiry into the system in vogue at the War Office, and he believed they had no reason to fear what the finding would be whenever a verdict was passed upon them.

THE DUKE OF CAMBRIDGE: My Lords, although I am in no way personally responsible in the matter now before your Lordships, yet as I gave evidence before a Committee, and as I feel that a certain amount of responsibility rests upon my shoulders, I hope in these circumstances your Lordships will allow me to offer a few words on the question before the House. My noble Friend who brought forward the Motion has named me in that Motion, and rather implied that a scare was produced by what I said and by what the noble and gallant Viscount behind me has said. I can assure your Lordships that I had not the slightest intention in anything I have said of producing a scare, because I consider scares to be the most dangerous and objectionable things that can possibly be imagined. The whole subject arose in this way. I was called before a Committee of the other House to answer certain questions referring to the Army, and, of course, I answered those questions to the best of my ability and conscience. I did not frame those questions; they were framed by the Members who sat around. My business was to answer them. Among other questions I was asked whether I considered that at the present moment the Army was in such a condition that a certain proportion of one Army Corps could be immediately withdrawn from Aldershot or elsewhere and embarked for foreign service? My answer was, "No." "What do you want?" was one of the questions. I said that I believed that about 11,000 additional men would, upon our present system, carry out the object the question implied. I was asked what I meant. My meaning was exactly what has been stated in this debate—that under the present condition of enlistment and service, you are obliged to engage a very large proportion of very young men; and that, as there had been laid down a rule as regards hard foreign service in the field, that a man under 20 years of age ought not to be employed, if you have a large body of recruits in every regiment, unless you have some means of leaving a portion of them behind, you cannot embark the number of men you want. The 11,000 men to which I alluded was simply to give a margin, so as to leave behind, not useless men, but men who for the moment cannot be made available, and by that means to fill up what I consider the vacancies created by the system. That is the meaning of what I said about the 11,000 men. I hope, however, it will not be understood that those are my views as to all that is wanted. I believe that more is wanted; but that was the ground on which these remarks have been made. No doubt, the subject has been very largely ventilated; and I then ventured to think, and I think so still, that it is very desirable that the country should understand exactly the position in which it is placed with regard to these questions. Hitherto the country has been asleep. I do not think the subject has hitherto attracted the attention of the people, and I believe that the cause of that has been that there has always been a great difficulty connected with it—namely, the financial difficulty. But now it has been brought prominently before the country,

and, that being so, I consider, without reference to any attack upon the present or any other Government, that it is the duty of any man who is in a position to know how the matter stands and what ought to be done to state frankly what he thinks; and if he does not do so, I do not think he is doing his duty to himself, and much less so to his country or his Sovereign. There has, my Lords, been some talk about danger, and it is said that I used that word. I did use the word "danger," I believe; but I did not use it in the way which has been implied. The word "danger" can be taken in two senses. There is, first, imminent danger. There is, I believe, no imminent danger, and I do not consider there is any danger in that sense. But there is danger in this sense—that the country ought to be efficiently protected, and in a condition to hold its own with reference to other nations. In that respect, in my humble opinion, there is decidedly danger unless you have your Services in a condition to be able to perform the duties which may be required of them. I believe Her Majesty's present Government have done everything they could to accomplish that object. It cannot be done in so many days, or perhaps in so many years; but the object to be attained is to ascertain what is really wanted. We have never fully ascertained that. We have lived from hand to mouth, and if danger arises everybody immediately cries out for the Services to be prepared for anything that can be required. Sometimes it is a small scare, sometimes a very considerable one; and the result is that we are never really prepared either for a small or a considerable one. Now, I think Her Majesty's Government ought to lay down absolutely what they consider to be the object and duty both of the Navy and the Army—and not only that, but also the relative duty of each; because there is a great deal in the connection between the Army and the Navy. The Navy is, of course, the first line of defence; but the Navy requires the assistance of the Army, and unless the Army is in a position to assist the Navy, we cannot expect to hold our own with other countries. I am told that this country is not a military one, and that it does not want to vie with other nations in that respect. I entirely agree; but what is the real condition of things? Every other European country at this present time has been arming to the teeth; and what have we done? Comparatively nothing. [The Marquess of SALISBURY dissented.] I see my noble Friend the Prime Minister shakes his head; but for the last few years we have certainly not done what we ought to have done relatively to what other countries have done. If we are not in as good a position, relatively, to what they are, we must be in a disadvantageous position; and all that we have asked for, and all that we have put forward, all that I personally have put forward, whether in public or private, has always been this—that we should relatively hold the same position to other countries now as was the case before these vast armaments were introduced. I, for one, deplore these armaments. I think it is a most unhappy thing for the world, and I wish it did not take place. But it is not for me to say whether these armaments are necessary or not, however much I regret to see them. Every country judges for itself, and we must judge for ourselves relatively to what other countries do. I believe that Her Majesty's present Government have done an immense deal to meet the requirements of the country; but I do not think the subject has ever been treated in former years in that spirit, and the result is that we have had this scare. I believe that if we have our Services in such a condition—not extravagant, by any means—that they can really carry out whatever is really laid down as the principle on which every Government should act, we should be in a much better position than we are now. When he dissented from what I said, the noble Marquess seemed to overlook the fact that in many respects changes have taken place. Take, for instance, the arming of the coaling stations. That is a question which was never thought of until within the last year or two. If you have coaling stations, which are necessary, they must entail an additional number of men, because the Fleet could not take charge of them alone. There must be troops to defend them, and without troops they would be worse than useless. At the same time, what I would like to see, and what every soldier would like to see, is that some fixed principle should be laid down which would define better

than has hitherto been the case the relative duty of the Army and the Navy, and also the relative requirements as to the strength of the two Services. That would be an immense point, and I am rejoiced that we have a Cabinet Committee sitting on the matter; for I cannot but think that that Committee will produce some good result in that direction. If something sudden comes upon us, you may depend upon it you have not got the Services in that position that you would wish and that the country requires. I am most anxious to assure your Lordships that I have no desire to see any extravagance in the Army. My object has been to let the Government feel I am supporting them to the best of my ability; and in making these observations I have endeavoured to support what I believe to be the right thing in the interests of the State. I hope that this explanation will be satisfactory to your Lordships, and will show that what I have said on the subject has certainly not been with the object of producing a scare, but merely to make the country feel what was required to be done.

THE EARL OF NORTHBROOK said, he agreed with the illustrious Duke as to the inadvisability of sending young soldiers under 20 years of age out to India to reinforce regiments. It might have been better, in the interest of the Army in India and also at home, if the increase in the number of the British troops in India which was made a few years ago had not been made, for it would be preferable to have the Reserve at home rather than in India, where it was exposed to a worse climate, and where its maintenance was also more costly. He had, however, risen to make a few observations on account of the references that had been made to the strength of the Navy. He could not accept some of the figures that had been used by the noble Earl who introduced this Motion; and as the present strength of the Navy was due, not to the action of the present Board of Admiralty, but rather to the action of previous Boards, he felt bound to point out the inaccuracy into which the noble Earl had been led. The figures quoted by the noble Earl had been supplied to him by Sir Spencer Robinson and others; but he (the Earl of Northbrook) ventured to think that the statements of responsible experts on the question of the relative condition of the British and other Navies were of more value than those of experts who had no responsibility, such as Sir Spencer Robinson. The noble Earl had stated that from the figures submitted to him he was in a position to state that in 1890 the number of battle ships would be English 42, French 39, giving us a preponderance of only three. These figures gave a very erroneous impression. In 1884, when at the Admiralty, he had a careful examination made as to the respective strength of the English and French Navies. The Naval Members of the Board went carefully into the matter, and upon their authority he in that year was able to inform the House that the number of armour-plated ships was English 46, French 31. From that time to the present we had been building armour-plated ships at twice the rate of the French. Upon the authority of the present Senior Lord of the Admiralty, Sir Arthur Hood, who was an expert with responsibility, he was able to state that the number of such ships added to the two Navies by 1890 would be, since 1884, English 22, French 10. The figures, therefore, stood as follows with regard to armour-plated ships of all classes. In 1884, English 46, French 31; in June, 1888, English 54, French 35; in 1890, English 68, French 41. His noble Friend would see that these figures, given by a responsible expert, Sir Arthur Hood, entirely differed from the figures given to him by Sir Spencer Robinson. He was corroborated in these figures by the authority of a noble and gallant Friend, Lord Charles Beresford, who, he regretted, had left the Admiralty, and who could not be regarded as a particularly favourable critic of the present Board of Admiralty. Speaking to his constituents in November last, Lord Charles Beresford said that in 1890 we should have 38 ships of the first-class against 31 of two combined Powers, of which France was one. In 1879 the present First Lord of the Treasury, who was then at the Board of Admiralty, added to the number of ships laid down, but fortunately did nothing of the kind recommended now by Sir Spencer Robinson. If the right hon. Gentleman had decided to build 60 ships all at once they would have been obsolete by this time. But the right hon. Gentleman

began to make good the want that existed, and the Board of Admiralty over which he himself presided followed in the same direction, with the result that in the years beginning with 1880 twice as many ships of the first-class were being built in England as in France. The public failing to understand what was going on, there was a scare in the Autumn of 1884, and Mr. Gladstone's Government, thinking it right to take advantage of the opportunity thus afforded, proposed an addition of £3,000,000 to the Shipbuilding Estimates of the Navy. The result had been most satisfactory, and at no time since the introduction of the screw in ships of war and of armoured plate had the Navy of this country been in a superior position than it was in now as compared with foreign nations. In fact, it had never been in so good a state. The noble Earl on the Cross Benches (the Earl of Wemyss) had especially referred to fast cruisers, and stated that the French possessed 63 vessels of this class, many of them over 20-knot speed.

THE EARL OF WEMYSS: Some 25-knot.

THE EARL OF NORTHBROOK said, he thought there must be some error on the part of the noble Earl; he knew of no such fast-going cruisers in the French or any other Navy, and when he was at the Board of Admiralty the French had none, and had none building. The present condition of the two Navies, as far as these cruisers were concerned, was this on the authority of Sir Arthur Hood—we had 21 unarmoured cruisers of 16 knots and upwards, while the French only possessed six cruisers of that great speed. Our superiority, therefore, over the French in unarmoured cruisers of high speed was very considerable indeed. It was true that in the last year or two the French had begun to build a substantial number of fast cruisers; but he believed the present Board of Admiralty were taking the wise and proper steps to meet that increase by a relative increase on our side. The Admiralty had begun to build a large number of these vessels, of which no less than five would, he understood, have a speed of 20 knots. Eighteen or 20 were being built which would have a speed of more than 16 knots. He dissented altogether from the view of the irresponsible expert quoted by the noble Earl that we ought to build 60 fast cruisers and four more line-of-battle ships. Our number of battle ships, as compared with the French, was sufficient for the present; and it would, in his opinion, be an unwise and extravagant policy to build at once an enormous number of ships of any class. The cost of Sir Spencer Robinson's scheme would be no less than £12,000,000. Those who wished to precipitate the country into such expenditure would do well to recollect what occurred in 1859. The question was then raised whether we had as many screw line-of-battle ships as the French, and many old sailing ships were at once converted into screw line-of-battle ships. But a very short time afterwards the era of iron-clads began, and these vessels were either converted into indifferent iron-plated ships or were now rotting in the harbours of the country. That showed the danger of any large, sudden, simultaneous operation in shipbuilding. The speed of our ships launched and completed during the last four or five years he considered very satisfactory, notwithstanding the adverse criticisms of a portion of the Press. Most of our recent iron-clad vessels had a speed of 16 knots, and some of our armoured cruisers had considerably surpassed the speed contemplated by their designers. He believed that the *Orlando*, in her trial trip to Gibraltar, had made a faster passage than had ever been achieved by any commercial steamer. He was prepared to rest his defence of our naval administration on the present position of the Fleet. He believed the Board of Admiralty was now engaged in making fit for sea a very considerable squadron in order to show what the position and organization of the Navy were. There never was a greater mistake than to suppose that the Board of Admiralty was not prepared to meet any difficulty, or to do any work which it had to do in respect of sending ships to any part of the world, manning them quickly, and fitting them out properly. On these points evidence was furnished by the two Expeditions to Egypt, and he was not aware that they were attended by any failure as to transport, organization, or equipment. And their Lordships could appeal for testimony to the noble and gallant Lord who commanded the Naval Forces (Lord Alcester), and who

afterwards joined the Admiralty, and presided over a Committee which had worked out the whole organization for manning our ships. He believed it would now be found that 22 armoured battle ships, 18 cruisers, besides torpedo boats and gunboats, could be in a short time manned, equipped, and made quite ready for service without taking a man from the Reserves. It was impossible to over-estimate the importance of protecting our commercial marine in time of war; but to discuss the best mode of effecting this would be to take up more time than he would venture to occupy on the present occasion. He would, therefore, only observe that he was aware that the Board of Admiralty were paying particular attention to the subject. As to invasion, he was not going to discuss how many men per ton could be put on board ship and brought across the Channel, because that did not go to the root of the matter, which was that the command of the Channel should remain with our Fleet, so that there should be no possibility of sending a hostile expedition across it. The idea of invasion was preposterous so long as we had command of the Channel, and of this we had absolute certainty in the present condition of the Navy, and should continue to have it whatever Government had the responsibility of its administration.

EARL GRANVILLE said, that during that debate they had heard some very important, very interesting, and very startling statements, and it must be generally satisfactory to their Lordships to have heard a speech of a reassuring character. He would not prolong the conversation; he desired to obtain some information on a matter of detail, but an important detail; he wished to know what was the policy of the Government with regard to Dover Harbour? [*A laugh.*] The noble Marquess (the Marquess of Salisbury) laughed; but the unanimous result of past discussions and inquiries was that the enlargement of Dover Harbour was an essential element in the defence of this country, and expenditure had been incurred with the object of carrying out the work by means of convict labour. It now appeared as if the project that had been formerly approved by the highest authorities had been abandoned; and it certainly did seem to be inconsistent to display so much concern about the defence of the Empire while neglecting an essential part of our home defences.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I have to apologize to the noble Earl if I seem to think too lightly of the grave subject which he has brought forward. But I have heard him bring it forward so frequently in this House, and at such long distances of time, that it impresses me very much as a favourite Motion of Mr. Smith in the House of Commons on the question of foreshores. There is something in the frequent repetition of an argument which comes to no practical effect which, I am afraid, diminishes the solemnity of the occasion. But I still think that the noble Earl's speech must be looked upon rather in the light of a confession than a complaint, because the story, as I understand it, is this—that about the year 1873 Mr. Gladstone's then Government, with the assistance of Mr. Cardwell and the noble Lord, had come to the absolute conclusion that Dover Harbour must be enlarged. A change of Government took place in 1874, and no doubt that very grave feeling of the Government was not continued. In June 1880, the noble Earl came into Office again and remained for five years, and yet, though staggering under the conviction that this was an absolute necessity, not a single stone towards the improvement of the harbour was laid. It evidently was necessary that the Government of which the noble Earl was a Member should consider the question for five years. We have only considered it for two years. With that answer to the noble Earl, I confess that I am not competent to deal with the matter from a strategic point of view; but if he will give me Notice I will tell him what our experts think of its relative importance to the numerous claims on the Exchequer for the purposes of defence. There is so much to do, that the postponement of works does not mean that you disregard or disbelieve in the value of the work, but simply that you think there are other works which are of more importance. I was anxious to say a few words with reference to the speech of the noble and gallant Viscount (Vis-

count Wolseley) who spoke early this evening, and of the charges he made against my noble Friend Lord George Hamilton. I must say I regret that he should, in his position, have made charges of that kind without having taken some trouble to ascertain that they were correct. He charged my noble Friend, if I did not mistake his words, with having given an opinion on a very important matter of naval and military strategy simply from his own lights and without instructing himself by the advice and knowledge of his proper Departmental officers. The statement is entirely without foundation. My noble Friend, before he made the statement that he did, consulted the proper authority in his Department—namely, the Transport Department—and it was on their authority that the statement he made was put before the world. Whether it is right or wrong I will not undertake to say; but there is absolutely no ground whatever for the blame which the noble and gallant Viscount has thrown upon my noble Friend.

VISCOUNT WOLSELEY: I did not refer to Departmental officers, but I said I was under the impression, so utterly erroneous was the statement made by the First Lord, that it was not possible he could have consulted the able Admirals who were his Colleagues on the Board of Admiralty.

THE MARQUESS OF SALISBURY: I confess I do not see what more he could have done. He consulted the able Admiral or Captain whose duty it is to consider the question of transport, because that was the question which was under discussion. There was one other remark made by the noble and gallant Viscount of which I also desire to take notice. He intimated, in the form of a question, his belief that we had not consulted the authorities of the War Office, or of the Navy, with respect to the danger of an invasion on which he had insisted so strongly. That danger the noble and gallant Viscount has re-stated in fuller terms to-night. If I understood him rightly, he stated the danger to be that 100,000 men might be collected in a single night at the French ports of the Channel, placed on board the shipping that would be found there, and transported that night to the shores of England as a surprise. I can say that the matter has been under the anxious consideration of the Government in communication with the authorities of the War Office and the Admiralty. Stating the problem as the noble and gallant Viscount has stated it, I can safely say that we have received from no authority any indication that a danger such as he states it exists. I have heard of authorities, not of the War Office or the Admiralty, who have thought that a small force could be carried across in the way the noble and gallant Viscount suggests, as a matter of surprise. I have also heard—and I think it is the belief of the authorities of the War Office—that if we lost the command of the Channel by a great naval disaster, then such an invasion as the noble and gallant Viscount suggests might be possible.

VISCOUNT WOLSELEY: I never suggested that 100,000 men could be embarked on board any fleet in one night. I certainly had no intention of suggesting that.

THE MARQUESS OF SALISBURY: That sets the matter right at once. It certainly startled me very much. But the difference, I believe, between the Admiralty and the War Office is really a question of definition. What is a surprise? Such a surprise as that we were talking of just now, a surprise in a single night, is a thing against which no naval pre-eminence could contest if such a surprise were possible. A surprise of that kind I believe to be simply impossible; and I venture to form the opinion, even against any indication of military opinion—because it is not a military matter—that it would be perfectly impossible that any such movement could be organized in France and that we should not know of it. After all, there is the telegraph. If the wires are cut we know there is something wrong; if they are not touched the news must come over them. Such a force could only be concentrated at the ports of the Channel by means of the railways. In order to concentrate forces of that kind by railway you must seize and use a vast quantity of rolling stock. The companies do not keep that rolling stock idle; it must be withdrawn from the ordinary commercial traffic of the country. Do you suppose you can withdraw rolling stock to carry 100,000 men without calling attention to the fact that you are doing it? You would paralyze

all the lines in the neighbourhood of Paris. There is another point on which the authorities of the two Offices differ, and again it is a difference of definition as to the nature of the equipment which these forces, suddenly thrown from France to England, are to carry. When my noble Friend Lord George Hamilton spoke of 480,000 tons as being necessary to carry 100,000 men he was thinking, as the transport officers advised him in thinking, of a thoroughly equipped force for the purpose of landing in the face of a hostile army, equipped with boats, horses, guns, and everything which such an army would require. Of course, if you do not add all these equipments, and pack them like herrings, I think it very possible that 180,000 tons would carry 100,000 men. But the making of such a rush pre-supposes the possibility of such a surprise as is involved in its being done in a single night. If you had not that surprise, if there was any notice or any possibility of bringing up any naval force to meet any expedition of that kind, the expedition must necessarily be destroyed. The truth is that there has been a good deal of misconception caused by that phrase—losing the command of the Channel. What is meant by losing the command of the Channel? It is that our Fleet should be defeated, a contingency which we hope is impossible, but which it is yet right that we should take into consideration. But that we should so lose command of the Channel that every port should be sealed up, and no ship of any kind should be able to creep out to interfere with such an invading force as the noble and gallant Viscount portrays—I do not believe that it is within the compass of possibility or the gloomiest fears that England would ever be reduced so low as that. I think it is taking into consideration contingencies which cannot possibly occur. May I hope that, now we have threshed out what the meaning of the two Departments is, this duel will end? I do not think it is desirable that we should discuss in all its details for the benefit of our neighbours the precise mode in which we expect them to attack us, and in which we intend to defend ourselves; and I should be very grateful if the noble and gallant Viscount would use his official knowledge rather to guide us than to correct us. I am afraid that if chastisement is the proof of love, the love of the noble and gallant Viscount overflows all bounds. I will only say one word with respect to the speech of the noble Earl (the Earl of Wemyss). That speech follows the regular type of such speeches, and consisted of an unlimited laudation of experts, and of a contemptuous estimate of the two Front Benches. The popular view of persons of the mind of the noble Lord with respect to experts seems to be this—that they are a college of exalted persons who always have the same opinions, who always express them in perfect agreement, and who never have any doubt as to the accuracy of what they say. But the expert of actual life is very different. The experts, I regret to say, of the War Office and the Admiralty, as we have seen often on this vital question of invasion, are not actually at one. I believe I am violating no official discretion when I say that the great experts of the Admiralty whom the noble and gallant Viscount has so justly lauded look upon his apprehensions as little short of ridiculous. But, no doubt, they may be wrong, and the noble and gallant Viscount may be right. Experts do differ much more than people who are not experts differ, and you have only to go into a Committee of this House to hear experts on opposite sides swear with a hardihood of opinion which laymen can never rival. I object to having the experts thrown at my head in this way. If they were agreed upon matters which they know —I do not say upon all matters—they are all agreed about spending more money—but if they were all agreed upon what they know the case would be different. But their differences on every point are enormous; and, however carefully we must weigh their opinions and them as against each other, I think the day has not yet arrived when the Parliament of England will surrender itself on this vital matter to the absolute guidance of experts. I would remind my noble Friend of a story of our distinguished neighbours, the French, with respect to the hunting field. A Frenchman was riding so fast that he got among the hounds, and on being asked whether he was going to catch the fox he answered, "My friend, I will try; I will try." Now, that is precisely the position of the despised persons

whom the noble Lord speaks of as the two Front Benches. He will only ride down the hounds if he tries to do the hunting in our stead. We may be corrupt—we may be animated by every motive that is unlike those by which Englishmen are usually guided; we may be the very type of Party corruption; we may be paragons of incompetence; but still it is only we, the Front Benches, to whatever Party we may belong, we, the Ministers of the Crown, who can do the thing which you want done, and it is of no use for you to try to take it out of our hands. It must be done by the political and civil officers of the Crown, taking the advice of experts; and any attempt to force them or to push them, or to taunt them into abandoning their own opinions, yielding them entirely to what are called the opinions of experts, will only have the effect of paralyzing those who may do something without giving the power to any others to do it in their place. I earnestly hope that the noble Earl will revise the opinion that he has as to the two Front Benches. After all, does it not occur to him as rather odd that the people who are likely to know most of the inside of the Offices, to whatever Party they belong, or whatever prepossessions they begin with, always come to similar conclusions? Does it not occur to him that there may possibly be some facts and some sound reasons which lead to a result that *à priori* you could not expect? The noble Earl, I think, in his speech, which contained many good things, injured his case by adding to it these suspicions and these reproaches in regard to those who hold political Office. This perpetual repetition of the formula that they are neglecting the highest interests of their country in order to make successful Budgets against Ministry after Ministry, no matter what may be their political opinions, or their moral character, or their intellectual capacity, does seem to condemn itself, and it shows that there must be something weak in the cause which is constantly appealing to prejudices of such a description. I would ask the noble Earl to believe that we, and noble Lords opposite, are animated by as pure a desire to serve the public in the recommendations that we give as he is—that we are as sensible as he is of the stupendous magnitude of the interests committed to our care; that we feel as deeply as he can do the enormous responsibility which the protection of this vast Empire carries with it; and that we are devoting all that we have of knowledge, of industry, or of capacity to carry that task successfully into effect.

THE EARL OF WEMYSS briefly replied, thanking his noble Friend for what he had done, and only expressing the hope that the view which his noble Friend took of all those questions would lead to the Government arriving at some wise decision which would result in giving greater confidence and security to the country.

LORD ELPHINSTONE said, that after the speech of the noble Earl the late First Lord of the Admiralty (the Earl of Northbrook) it was unnecessary for him to detain their Lordships with any remarks. His only object in rising was to say that the figures which that noble Earl had quoted were substantially correct. The following (omitting coast defence) was a statement of the relative strength of the Navies of Great Britain, France, and Russia:—In 1888 Great Britain had 34 armoured battle ships, France had 23, and Russia 2. In 1890 the numbers would be respectively 40, 24, and 7. In 1888 Great Britain had 6 armoured cruisers, France 4, and Russia 6. In 1890 England would have 14 armoured cruisers, France 4, and Russia 3. In 1888 we had 1 torpedo ram, while France and Russia had none. In 1888 England had 73 unarmoured ships, with a speed of 11 to 16 knots, while France had 51, and Russia 26. In 1890 we should have 78, France would have 37, and Russia 26. In 1888 England had 21 unarmoured ships of 16 knots and over (exclusive of gunboats), France had 6, and Russia none. In 1890 England would have 39 ships of that class, France 21, and Russia 4. In 1888 England had 4 torpedo gun vessels, with a speed of 19 to 21 knots, France had 8, and Russia 1. In 1890 England would have 13, France 8, and Russia 2 of that class of vessels. That list did not include the two protected cruisers, the *Blake* and *Blenheim*, of 9,000 tons and 22 knots, and capable of steaming 15,000 knots at 10-knot speed. Nor did it include the *Vulcan*, protected cruiser, of 6,600 tons and 20 knots, and capable of steaming 12,000 knots at 10-knot speed. The battle ships *Mino-*

taur, *Achilles*, *Hector*, *Valiant*, and *Defence* were not included in the list, because it had not yet been decided to repair them. It should be noted that three iron-clads were on foreign stations. Therefore, as he had stated, the figures given by the noble Earl (the Earl of Northbrook) were substantially correct; and, that being the case, he would not detain their Lordships with any further remarks.

Motion *agreed to.*

PATENTS, DESIGNS, AND TRADE MARKS BILL [H.L.]

A Bill to amend the Patents, Designs, and Trade Marks Acts, 1883—Was *presented* by The Earl of Onslow; read 1ª. (No. 193.)

ELECTIONS (INTERVENTION OF PEERS AND PRELATES IN PARLIAMENTARY ELECTIONS).

Select Committee on: The Lords following were named of the Committee:

L. Chancellor	L Colchester
M. Salisbury	L. Esher
E. Milltown	L. Macnaghten
E. Granville	

The Committee to meet on *Friday* the *6th of July* next at Twelve o'clock, and to appoint their own Chairman.

House adjourned at a quarter before Eight o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 29th June, 1888.

The House met at Two of the clock.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Legitim Law Amendment (Scotland) * [311].

Committee—Local Government (England and Wales) [182] [*Eleventh Night*]—R.P.

PROVISIONAL ORDER BILLS—*Third Reading*—Local Government (No. 5)* [265], and *passed.*

QUESTIONS.

CEYLON—GOLD DISCOVERIES.

MR. MACDONALD CAMERON (Wick, &c.) asked the Under Secretary of State for the Colonies, Whether his attention has been called to an article in *The Times of Ceylon*, of May 31, reporting the discovery of gold in the district of Sarangalla by Constable Arachichi; whether it is true that the Ceylon Government purchased nuggets from the constable for the Museum in Colombo; and, whether the Secretary of State will advise an inspection of the district by a competent gold-mining expert at the Government expense with a view to ascertaining whether the gold area is sufficiently rich to warrant its being worked in the interests of the Colony?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST) (Chatham) (who replied) said: The Secretary of State has seen a reference in the Ceylon newspapers to the subject; but there has hardly yet been time for any Report by the Colonial Government to be received in this country. Such a Report will, doubtless, be made in due course; and when it arrives the Secretary of State will consider the suggestion made in the last paragraph of the hon. Member's Question.

PUBLIC HEALTH (SCOTLAND) ACT—THE BURGH OF TAIN.

MR. MACDONALD CAMERON (Wick, &c.) asked the Lord Advocate, Whether his attention has been called to a correspondence which has been proceeding between the Local Authority of the Burgh of Tain and the Board of Supervision regarding an alleged breach of the Public Health (Scotland) Act; and, whether, in cases where the Local Authority omits to put the provisions of the said Act in force, it is within the province of the Board to insist on their doing so?

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. J. P. B. ROBERTSON) (Bute) (who replied) said: I am informed that a correspondence has recently taken place between the Board of Supervision and a local complainer regarding an alleged breach of the Public Health Act. As the statements of the Local Authority and the complainer were conflicting, the Board have remitted the case to their Inspecting Officer to inquire and report—when next in the neighbourhood; and, at the same time, informed the complainer that the Act empowered any two householders to take proceedings against the Local Authority, irrespective of the Board. As to the last Question, the Board considered all such cases as this one on their merits; and if

satisfied that the public health is not injured by the arrangements complained of, they do not proceed against the Local Authority, leaving it to the complainers to do so if so advised.

INLAND REVENUE—EXEMPTION FROM THE INHABITED HOUSE DUTY.

MR. W. H. JAMES (Gateshead) asked Mr. Chancellor of the Exchequer, If he can explain why, and on what principle, one set of tenements should be exempt from House Duty by a concession granted by the Treasury, when other tenements let at similar rents, occupied by working people, are not held to be exempt?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): If the hon. Member would do me the honour to refer to my answer to a similar Question on Tuesday, the 19th, he would see that the principle on which certain buildings divided into tenements of under £20 annual value are exempted from House Duty, and other buildings containing tenements of similar value are not, has already been explained by me. The principle is that exemption is granted where the tenements are structurally separate, so that each is in a sense a house by itself, separated by some clear physical demarcation from other similar houses under the same roof. On the other hand, exemption is not granted where the tenements are merely one or more ordinary rooms in an ordinary house, with nothing to separate them from the rest of the house or to constitute them a distinct and self-contained dwelling. I may add, that relief is also granted in cases where more than one separate tenement is occupied by one tenant, provided that the annual value of the entire and combined holding is under £20.

CONTAGIOUS DISEASES (ANIMALS) ACTS — IMPORTATION OF DUTCH CATTLE AND SHEEP.

MR. MONTAGU (Tower Hamlets, Whitechapel) asked the noble Lord the Member for Lewisham, Whether the latest accounts from Holland show that no contagious disease exists among Dutch cattle and sheep, and that the transit of German sheep has been stopped for some months; and, whether, under these circumstances, the restrictions on the importation into this country of Dutch stock will be removed, so as to place it on an equality with that from Scandinavia?

VISCOUNT LEWISHAM (Lewisham): The Government are not aware of the existence of any contagious disease among animals in Holland at the present time; but in the first week of May last, German sheep, among which foot-and-mouth disease existed, were brought by railway through Holland and shipped to this country from Flushing. On May 14 last the Government were informed that the transit of sheep from Germany through Holland had been prohibited. The question of relieving Dutch stock from restrictions is one of very serious importance; and an application from the Dutch Government on the subject is under consideration.

IRISH LAND COMMISSION—APPEALS AT DUNDALK.

MR. M'CARTAN (Down, S.) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the serious complaints made in *The Belfast Morning News* of the 14th and 15th instant, as to the great inconvenience of bringing the tenants of the estates of Mr. Sewallis Shirley and Mr. H. H. Shirley, at Carrickmacross, to have their appeals heard before the Land Commission at Dundalk; whether the Land Commission received a Memorial from the tenants pointing out the inconvenience and expense which attendance at Dundalk would involve; whether he is aware that the tenantry on these estates are among the poorest in Ireland, and would not be able to bear the expense of attending with their witnesses at Dundalk; whether he can say what number of appeals from the decisions of the Sub-Commissioners still remain to be heard on these estates; and, whether he will advise a sitting of the Land Commission to be held at Carrickmacross, where there is a suitable and commodious Courthouse, and where there is also good hotel accommodation?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): The Land Commissioners inform me that in the ordinary course of practice cases from the Carrickmacross Union would

be heard either in Dublin or Monaghan, and that they fixed the sitting at Dundalk specially to meet the tenants' convenience and to save expense to all parties. The distance from Carrickmacross to Dundalk is 14 miles only, and there is convenient railway communication between the two places. No remonstrances were received by the Commissioners until within the last week, although the arrangement to sit at Dundalk has been public for two months. There are 150 appeals pending from the estate of Mr. Sewallis Shirley, and 116 from the estate of Mr. H. H. Shirley. The Commissioners state they are satisfied that Dundalk, which was selected with the consent of the professional men on both sides, is the proper place for the hearing of the cases, and they are unable to change the arrangements they have made.

MR. MAURICE HEALY (Cork) asked, whether there was any reason that the ordinary practice of the Land Commission should not be brought more into conformity with the convenience of the parties concerned?

MR. A. J BALFOUR said, he knew the Land Commissioners were extremely anxious to meet the convenience of all parties engaged.

MR. MAURICE HEALY asked, was it not a fact that in this case, and in the case mentioned previously, the Sub-Commissioners were holding the sitting actually outside the county in which the tenants resided?

MR. A. J. BALFOUR said, it was quite possible that a place outside the county might be the most convenient, taking all the circumstances into consideration.

INDIA—THE UNCOVENANTED CIVIL SERVANTS—PAYMENT OF PENSIONS.

MR. KING (Hull, Central) asked the Under Secretary of State for India, Whether it is true, as stated in India, that the Secretary of State recently sent out a despatch to the Viceroy in Council, suggesting that pensions of uncovenanted servants should be paid at a fixed rate of exchange, or anything to that effect; what, if so, was the reply of the Indian Government; and, whether he will lay a copy of the Secretary of State's despatch and the reply thereto upon the Table?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The statement made in India as described in the Question is inaccurate. The correspondence which has passed between the Secretary of State in Council and the Government of India on the subject cannot, in the opinion of the Secretary of State, be laid on the Table with advantage to the Public Service.

LOCAL GOVERNMENT (ENGLAND AND WALES BILL) — SUPERANNUATION AND PENSION OF THE POLICE FORCES.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) asked the President of the Local Government Board, Whether the conditions as to superannuation and pension under which the members of the Police Force, including the Chief Constables, entered the Service, will be in any way affected or modified by the provisions of the Local Government Bill?

THE PRESIDENT (Mr. RITCHIE) (Tower Hamlets, St. George's): The powers of Quarter Sessions as to superannuation and pension of the members of the Police Force are proposed by the Local Government Bill to be transferred to the Joint Committee of the Quarter Sessions and the County Council. Subject to this, those powers will not be affected. The police superannuation funds will be transferred to the County Council under Clause 63 (1) of the Bill; and they will be held by them for the same purposes, and subject to the same conditions, as they would have been held by Quarter Sessions if the Bill had not passed.

EAST INDIA—MR. TAYLER, EX-COMMISSIONER OF PATNA.

SIR ROPER LETHBRIDGE (Kensington, N.) asked the Under Secretary of State for India, Whether, for the convenience of hon. Members, the Government will lay upon the Table a reprint of the Minutes of Sir Barnes Peacock and Sir Henry Ricketts, with reference to a recommendation of Sir Frederick Halliday, Lieutenant Governor of Bengal, that Mr. Tayler, Ex-Commissioner of Patna, should not be granted the Public Commission of Inquiry for which he had asked, but that the records of a certain case, formerly tried by Mr. Tayler

during the Mutiny, should be submitted to the Judges of the Sudder Court of Bengal for their opinion and Report without the presence or further examination of Mr. Tayler; whether the Government would now be willing to submit Mr. Tayler's case to Sir Barnes Peacock for his decision; and, whether, as a fact, Mr. Tayler was ever informed that he was at liberty to demand a Commission, as recommended by Sir Henry Ricketts?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): The Minutes referred to, which are inaccurately described in the Question, have already been laid before Parliament in No. 308 of 1879. The Secretary of State sees no necessity for reprinting them. The action of the Secretary of State in refusing to re-open the case of Mr. William Tayler has been approved by a large Parliamentary majority, and the Government cannot now reverse that policy. Mr. William Tayler was never entitled to ask for a Commission. In 1859 he was offered, as I before stated, an inquiry by the Sudder Court into his judicial conduct at Patna, which he declined.

SIR ROPER LETHBRIDGE, arising out of the answer of the Under Secretary, asked, whether it was not the fact that Sir Henry Ricketts did recommend that Mr. Tayler should be allowed a Commission, and said that the Commission, if asked for, would be granted?

SIR JOHN GORST: I must refer the hon. Member to the Minutes, which will speak for themselves.

THE MAGISTRACY (IRELAND)—RESIDENT MAGISTRATES.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked Mr. Solicitor General for Ireland, What are the names and dates of appointment of the 10 Resident Magistrates appointed by the Government?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) (who replied) said: The following are the names and dates of appointment of the Resident Magistrates in question:—N. L. Townsend, October 1, 1886; John Preston, October 1, 1886; O'Neil Segrave, October 15, 1886; Cecil Roche, October 23, 1886; Ulick Bourke, August 22, 1887; Colonel M. S. Tynte, August 22, 1887; F. G. Hodder, August 29, 1887; Lieutenant Colonel H. Caddell, January 17, 1888; W. H. Joyce, January 20, 1888; and G. H. Shannon, May 5, 1888.

MR. J. E. ELLIS asked, whether the House was to understand that Mr. Segrave had been appointed since the affair at Mitchelstown?

MR. A. J. BALFOUR: No, Sir; Mr. Segrave was appointed on the 15th of October, 1886; and, if I remember rightly, the Mitchelstown affair was in September, 1887.

THE MAGISTRACY (IRELAND)—COUNTY COURT JUDGES.

MR. J. E. ELLIS (Nottingham, Rushcliffe) asked Mr. Solicitor General for Ireland, What are the names and dates of appointment of the County Court Judges in Ireland appointed by the Governments of the Marquess of Salisbury either between June, 1885, and January, 1886, or since July, 1886?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) (who replied) said: No County Court Judges were appointed between June, 1886, and January, 1886. Mr. Kisbey was appointed to Armagh and Louth on April 22, 1887; Mr. Fitz-Gibbon to Antrim and Belfast on November 19, 1887; and Mr. Webb to Donegal on December 27, 1887.

THE METROPOLITAN BOARD OF WORKS—THE ISLE OF DOGS—RAIN FLOODS.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar) asked the hon. Member for the Knutsford Division of Cheshire, Whether it is a fact that, on Tuesday evening last (26th instant), during a heavy rain storm, the basements of many houses in the Isle of Dogs were flooded with sewage, the depths varying from a few inches to two or three feet; whether, though the weather had been threatening for some hours, when the storm burst, the temporary engines at the pumping station were not at work, the engine only registering a 10 lb. pressure of steam; whether neither at the beginning nor during the continuance of the storm was any engineer in attendance at the station; how did the remissness occur; what steps do the Metropolitan Board of Works propose to take in the matter

in order to prevent a repetition of the flooding; and, what compensation do they propose to give to those who have suffered from the overflowing due to the non-working of the pumping engines?

MR. TATTON EGERTON (Cheshire, Knutsford): Several houses were flooded owing to the insufficiency of the local sewers to take the storm waters away quick enough into the Board's main sewers. One of the two powerful temporary pumping engines was at work when the rain commenced, and was more than equal to pump all the water that came to it. The engineer, whose duty it was to attend these engines, was on the spot at the time with his stoker and worked his engine. There was no remissness on the part of anyone connected with the Board. The Board is now erecting permanent engines for preventing floods in future, which it is expected will be completed ready for working next month.

INLAND REVENUE — REMISSION OF PENALTIES ON STAMPING INSTRUMENTS.

MR. MAURICE HEALY (Cork) asked Mr. Chancellor of the Exchequer, Whether he can state generally the conditions on which it is proposed to remit the penalties payable on stamping instruments executed prior to the passing of the Customs and Inland Revenue Act of 1888; and, in particular, whether it is proposed that there should be any limit of time as regards the date of the instrument proposed to be stamped; and, when the Memorandum dealing with the matter will be issued?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN) (St. George's, Hanover Square): The question has been considered, and it is thought that the penalties payable on stamping the instruments in question may be remitted; but the concession will not, of course, extend to instruments which cannot in any case be legally stamped after execution without payment of a fixed statutory penalty, nor is it to apply to instruments in respect of which personal penalties have been incurred, or to articles of clerkship. In any case in which a longer period than three months may have expired since the unstamped or insufficiently stamped instrument was first executed, the remission of the penalty or penalties must be by way of repayment. The Board of Inland Revenue, however, will refuse the benefit of this concession in any case in which it may appear that the instrument is not voluntarily presented for stamping, but is presented in consequence of other circumstances—such as, for instance, the necessity of producing the instrument in Court, or of making good the title to property at the requisition of a purchaser. In the consideration of applications for relief from penalties payable on stamping instruments executed prior to the passing of the Customs and Inland Revenue Act, 1888, and not presented for the purpose until after January 1 next, the Board will have regard to the fact that the liability to the payment of such penalties might have been avoided had advantage been taken of the arrangement in question.

EDUCATION DEPARTMENT (SCOTLAND) — SENIOR SCHOOL INSPECTORS — APPOINTMENT OF MR. STEWART.

MR. CALDWELL (Glasgow, St. Rollox) asked the Lord Advocate, Whether it is the case that the recent appointment of Mr. Stewart to the office of one of the Senior School Inspectors in Scotland is the first departure in Scotland from the principle of promotion by strict seniority of service; and, whether any, and what, good reasons existed for doubting the ability of, or for passing over, the Inspector standing next to the vacancy, or the eight Inspectors following him, who were all senior to the Inspector appointed?

THE LORD ADVOCATE (Mr. J. H. A. MACDONALD) (Edinburgh and St. Andrew's Universities): I have nothing to add to the answers which were given on the 12th of June to the hon. Member for East Edinburgh (Mr. Wallace) and on the 22nd of June to the hon. Member for Wick (Mr. Macdonald Cameron).

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887—PROCEEDINGS AGAINST CORNELIUS CURTAIN AND OTHERS—THE DUBLIN COURT OF EXCHEQUER.

MR. JOHN MORLEY (Newcastle-upon-Tyne) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called

to the proceedings in the Dublin Court of Exchequer on Wednesday last, on an application for a conditional order for a writ of *habeas corpus*, on the ground that there was no evidence to convict Cornelius Curtain and 10 others, who had been sentenced to a month's imprisonment by two Resident Magistrates for unlawful assembly; whether the Lord Chief Baron is correctly reported to have said that the order ought to be granted; that the questions raised were fit and proper to be argued before the Court; that it ought to be argued whether the assembly was illegal; that another—

"Question was whether the real object and meaning of the Plan of Campaign, as developed in the speech of Mr. Dillon in October, 1886, was matter that could be taken judicial notice of by the Judges without evidence, and that he would like to have that question argued;"

that—

"The police themselves stated that the people were orderly, and did not use offensive expressions;"

whether Baron Dowse dissented from the Lord Chief Baron on the jurisdiction of the Court, and whether, in consequence of this division of opinion, no Rule could be made; and, whether the 11 persons accused are thus left without any means of testing the legality of the sentence that they are now undergoing, notwithstanding the view of the Lord Chief Baron that it ought to be argued before his Court, whether the magistrates had taken the evidence required for a conviction?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: The facts are substantially as stated; but I am unable to vouch for the strict accuracy of the report of the Judgment of the Lord Chief Baron. The result of the application to the Exchequer Division, referred to in the Question, is that the accused cannot have recourse to the proceeding by *habeas corpus* for the purpose of testing the legality of their sentences. This arose from the difference of opinion prevailing among the Judges as to their jurisdiction in such cases, the Court being equally divided in the particular case referred to.

MR. JOHN MORLEY: Then, may I ask the hon. and learned Gentleman whether he still stands by the statement which he made very recently, which was that so long as the decision in Sullivan's or Brosnan's case—I forget which—stands it is in the power of anyone, so long as he is under sentence of Resident Magistrates, to go to the Court of Exchequer and have the case decided by that Court on a point of law?

MR. MADDEN: Yes, Sir; I adhere to that statement as regards the full Court of Exchequer; but if the accident occurs that one of the Judges who hold that the jurisdiction exists is absent, there will then be an equal division of opinion, and no Rule can be obtained.

MR. JOHN MORLEY: Then, are we to understand that in consequence of an accident happening these 11 persons are to be deprived of any chance of their case being authoritatively decided?

MR. MADDEN: In consequence of their application having been made at a time when the full Court was not sitting.

MR. JOHN MORLEY: Then I will ask the Chief Secretary whether this case is to be left as it now stands?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): I suppose they could have gone to the Court of Queen's Bench.

MR. T. C. HARRINGTON (Dublin, Harbour): I should like to ask the right hon. Gentleman, as it is admitted in the answers of the Solicitor General that the Chief Baron stated that he would like to have argued before him the question whether the Judges could take official knowledge of the Plan of Campaign as being illegal without evidence being offered, whether, in the case of Mr. Dillon, no evidence of a conspiracy was offered, and no evidence of the Plan of Campaign was offered; and whether, under these circumstances, the right hon. Gentleman will submit a case to his legal advisers as to whether Mr. Dillon is legally detained or not?

MR. A. J. BALFOUR: I do not accept the statement of facts just made by the hon. and learned Gentleman; but if he desires any further answer he should put the Question on the Paper.

MR. T. C. HARRINGTON: Which statement of fact does the right hon. Gentleman not accept?

MR. A. J. BALFOUR: I do not agree that no evidence was given.

MR. BRADLAUGH (Northampton): As this unfortunate division of the Court

of Exchequer affects the liberty of the subject, will the right hon. Gentleman take some means by a test case of obtaining an opinion which shall be binding on all?

MR. A. J. BALFOUR: There is no conceivable method of doing that. The hon. Member appears to be under a misapprehension. These prisoners had two methods of obtaining a re-hearing of their case on the legal point. They might have gone to the Court of Queen's Bench, and they refused to do so; or they might have gone to the Court of Exchequer, and they went; but they chose to go at such a time that they did not get the full benefit that they might have obtained at another time. But that leaves the other remedy entirely untouched.

MR. T. C. HARRINGTON: Has not the Court of Queen's Bench declared that it will not go behind the order of the Resident Magistrates, and will not look into the depositions in a case of *certiorari* or *habeas corpus?* Did not the Solicitor General tell us that eight Judges of the Queen's Bench had already declared that?

MR. A. J. BALFOUR: The point was that they could go to the Queen's Bench to have a case stated.

MR. T. C. HARRINGTON: But this was not upon a case stated. The magistrates did not state a case.

MR. JOHN MORLEY: Are these 11 persons assumed to know beforehand that Mr. Justice Andrews would chance to be sitting at *Nisi Prius* on Wednesday?

MR. T. C. HARRINGTON: Was there any case stated in these cases at at all—was it not an application for *habeas corpus?*

MR. A. J. BALFOUR: The hon. and learned Gentleman does not apprehend the point, and I shall explain it. The magistrates refused to have a case stated, and counsel for the prisoners might have gone to the Court of Queen's Bench and compelled the magistrates to state a case if they so thought fit. That is the point.

MR. JOHN MORLEY: Will the right hon. Gentleman be good enough to answer my Question—whether we are to assume that these persons were to know beforehand that Mr. Justice Andrews would be sitting at *Nisi Prius?*

MR. A. J. BALFOUR: I presume the counsel might have known.

Mr. Bradlaugh

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 — (PERSONS PROCEEDED AGAINST, &c.)

MR. JOHN MORLEY (Newcastle-upon-Tyne) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will lay before the House an analysis of the Return, ordered May 31, 1888, as to "The Criminal Law and Procedure (Ireland) Act, 1887," stating the dates and places of the several cases; the total number of cases; the number proceeded against under head or description of offence; the totals in each of discharge, acquittal, conviction, appeal, and result of appeal; and also the totals for the aggregate of cases of each description of sentence; under separate heads the number and names of Members of Parliament proceeded against, with the several heads of charge against them, and their classification for the purposes of prison treatment?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): In accordance with a wish expressed by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), I am having the Return, which was ordered on May 31, as to the proceedings under the Criminal Law and Procedure (Ireland) Act modified by the insertion of Provinces and Counties. I do not at present see any objection to giving the rest of the information asked for if it does not require too much clerical labour; and I think it will not, with the exception of the last sentence. I see no reason for giving under a separate head the names of Members of Parliament, which has nothing to do with a Criminal Return, though doubtless it might be used for controversial purposes.

MR. MAURICE HEALY (Cork) asked, if the right hon. Gentleman would object to complying with the last sentence in the Question?

MR. A. J. BALFOUR said, he could not give that information in a separate Return in regard to Members of Parliament alone; but he did not know that there was any objection to giving it in regard to persons in general. He should see if it would not require too much expenditure of labour.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, whether the right hon. Gentleman, who had

control of the Irish Prisons Board, and who had confessed that he made a distinction in the prison treatment of priests, would give a Return under a special head showing the cases of priests who were in prison and the distinctions that were made in regard to their treatment?

MR. A. J. BALFOUR said, if particulars in regard to the treatment were given in the case of the other prisoners, of course it would also be given in the case of the priests; but he could not give a special Return in regard to the priests any more than in regard to Members of Parliament.

LAW AND JUSTICE (IRELAND)—CONVICTION OF MR. JOHN DILLON, M.P. —THE "PLAN OF CAMPAIGN."

MR. JAMES STUART (Shoreditch, Hoxton) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the report of the case of Cornelius Curtain and others on Wednesday last, when the Lord Chief Baron is reported as using the following words:—

"But the question was whether the real object and meaning of the Plan of Campaign, as developed in the speech of Mr. Dillon in October, 1886, was matter that would be taken judicial notice of by the Judges without evidence. He would like to have that question argued;"

and, whether, since Mr. Dillon was convicted of conspiracy at Dundalk before County Court Judge Kisbey without any evidence as to the object and meaning of the Plan of Campaign other than that of the speech referred to, he will take any steps to secure that the point of law shall be argued before the Judges, and their decision thereon ascertained without delay?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN) (Dublin University) (who replied) said: Nothing fell from the Lord Chief Baron, in the case referred to, tending to throw the slightest doubt on the sufficiency of the evidence on which Mr. Dillon was convicted. On the contrary, in the course of the arguments he referred to evidence, such as was given in that case, as sufficient to prove the nature of the Plan of Campaign. [An hon. MEMBER: No, no!] The Government have no power to take the course suggested by the Question.

MR. JAMES STUART: Will the hon. and learned Gentleman lay on the Table of this House the Evidence and the Judgment in the case of Mr. John Dillon's appeal?

MR. MADDEN: The hon. Gentleman should put a Motion on the Paper for a Return in the ordinary way.

MR. JAMES STUART: If I move for it, will the Government give it?

MR. MADDEN: When the Motion is put on the Paper in the ordinary way I will consider it.

MR. MAURICE HEALY (Cork): May I ask the hon. and learned Gentleman on what authority he states that the Lord Chief Baron referred to the evidence in Mr. John Dillon's case; and is it not the fact that the evidence which the Chief Baron referred to was that of "Blunt *v.* Byrne"?

MR. MADDEN: I did not state that the Chief Baron referred to the evidence which had been given in Mr. Dillon's case. What I stated was that he referred, in the course of the argument that was the subject of the Question, to evidence of the same class as that given in Mr. Dillon's case as being satisfactory. I read from the Report, which I obtained in the ordinary way, in answer to an inquiry sent over as to what really occurred. I am informed that the Lord Chief Baron referred to evidence as to the illegality of the Plan of Campaign as given in the "Blunt *v.* Byrne" case, and in that respect the hon. and learned Member is accurate; but further on, in the course of argument, he is stated to have suggested to counsel for the prisoner that by obtaining a copy of *United Ireland* containing a statement of what the Plan of Campaign was, that would tell him all about it. And that evidence, in addition to the speeches which were proved in Mr. Dillon's case, constituted the evidence given in that case, and was the class of evidence to which the Lord Chief Baron referred in contradistinction to the evidence in the case before the Court?

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.): May I ask the hon. and learned Gentleman what is the ordinary way in which the Government obtain Reports of this character; and, further, whether, in order to put an end to the controversy in regard to the terms of the Lord Chief Baron's Judgment, he will lay the Judgment of the Lord Chief Baron on the Table?

MR. MADDEN: My answer to that is the same which I have already given. We obtain the best information we can as to what has occurred. If the hon. Member wishes for a Return—I am not here to undertake on behalf of the Government—he can move for it in the ordinary way.

MR. MAURICE HEALY: I wish to ask the hon. and learned Gentleman, whether it is not the fact that the account which he gives of the Lord Chief Baron's Judgment conflicts with the account given in the public Press?

MR. MADDEN: No, Sir; I am not aware of that.

Subsequently,

MR. SEXTON said: Might I ask the Chief Secretary for Ireland, if it is not a fact that a reporter in Dublin was engaged by direction of the Government to take a special note of the Judgment of the Chief Baron in the Killeagh case; and, whether the right hon. Gentleman did not quote from that Report in the course of the debate on Tuesday last?

THE CHIEF SECRETARY (Mr. A. J. BALFOUR) (Manchester, E.): My impression is that there was no special Government Report at all.

MR. SEXTON: But did the Government engage a reporter to take a special note of the Judgment on this occasion, and did they quote from it the other night?

MR. A. J. BALFOUR: I have no ground for believing that such is the case.

MR. SEXTON: I will ask the Question again on Monday.

EAST INDIA (CONTAGIOUS DISEASES ACTS).

MR. JAMES STUART (Shoreditch, Hoxton) asked the Under Secretary of State for India, What steps Her Majesty's Government have taken, and what steps the Government of India have taken, for carrying into effect the Resolution of this House of June 5 with respect to the Contagious Diseases Act and the Cantonment Acts in India?

THE UNDER SECRETARY OF STATE (Sir JOHN GORST) (Chatham): A despatch has been sent to the Government of India bringing under their notice the Resolution of June 5. There has not yet been time for a reply to this despatch to be received by the Secretary of State.

RULES AND ORDERS OF THIS HOUSE—DIVISIONS.

DR. FARQUHARSON (Aberdeenshire, W.) asked the First Lord of the Treasury, Whether, in consideration of the fact that Committees of the House now sit simultaneously with the House itself, and that great inconvenience arises from the difficulty in reaching the House from the Committee Rooms in time for a division, he will consider the advisability of proposing an extension before 4 o'clock of the time prescribed by the Standing Order between the ringing of the bells and the closing of the doors?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster) in reply, said, this matter was regulated by Standing Orders, which left considerable discretion to Mr. Speaker. It was obviously improper to interfere with the Speaker's discretion, and the Government could not make any proposal.

DR. FARQUHARSON asked, if the Government were aware, not only of the inconvenience, but even of the danger to which hon. Members were subjected in having to rush from the Committee Rooms for the purposes of a Division

MR. W. H. SMITH supposed that the inconvenience and danger were incident to the position and the duties of Parliament. He was sure it was the desire of the Speaker to remove any danger and inconvenience to which hon. Members might be subjected.

HOUSE OF COMMONS—THE DEBATES OF THE HOUSE — LENGTH OF SPEECHES.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar) asked the First Lord of the Treasury, Whether his attention has been called to the fact that, in the Debate on the Motion of the right hon. Gentleman the Member for Newcastle-upon-Tyne (Mr. John Morley) on Monday and Tuesday nights, the 16 hours devoted to the debate were occupied by 15 speakers only; and, what steps he proposes to take in order, without prolonging the Sittings of the House, to enable a larger number of Members to take part in the set debates of the House?

THE FIRST LORD (Mr. W. H. SMITH) (Strand, Westminster), in reply, said, that this was a question in which

the Government ought to be exceedingly slow to interfere with the general discretion which must rest with hon. Members themselves. It was for hon. Members themselves to proportion their speeches to the importance of the questions with which they were dealing, and to the claims of other hon. Members to be heard. He thought he could best answer the Question by expressing the hope that all hon. Members would have regard to the claims and rights of other hon. Members and the due despatch of Public Business.

THE LORD MAYOR OF DUBLIN (Mr. SEXTON) (Belfast, W.) asked, Whether the right hon. Gentleman would prevent the Chief Secretary for Ireland in future taking up all the time of the House on the last night of an important debate?

MR. SPEAKER: Order, order!

BUSINESS OF THE HOUSE.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH) (Strand, Westminster) said, that in answer to the hon. Member for Northampton, he had promised to state what the Business would be on Monday. The Government proposed to put Reports of Supply and one or two other Reports not yet confirmed by the House first on the Paper; they also proposed that an opportunity should be afforded to the Chief Secretary to bring in his Bills for the drainage of the three districts in Ireland which had been mentioned in the House; and after that Supply would be taken, but no votes as to which the evidence given before the Committee had not been circulated.

MR. LABOUCHERE (Northampton) inquired, whether the Government intended to take further time of the House from private Members on Tuesdays and Fridays?

MR. W. H. SMITH said, if it should be necessary for the Government to ask for further time for the discussion of the Local Government Bill, he would give the House ample notice. He rather relied to-day, however, on the assistance of hon. Members. [Mr. LABOUCHERE dissented.] The hon. Member said they were not to have the assistance. Of course, that was a plain indication of the necessity which might be imposed upon the Government. The Government would rely upon the assistance of the House to vote the measure now in possession of the House before they made further demands for time. He would see what progress they made to-day; and he hoped the House would render it unnecessary for him to ask on Monday for further facilities.

ORDERS OF THE DAY.

LOCAL GOVERNMENT (ENGLAND AND WALES) BILL.—[BILL 182.]

(*Mr. Ritchie, Mr. William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Secretary Matthews, Mr. Long.*)

COMMITTEE. [*Progress 28th June.*]

[ELEVENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART I.

COUNTY COUNCILS.

Powers of County Council.

Clause 15 (Entire maintenance of main roads by County Council).

Amendment proposed, in page 11, line 7, after "shall," to insert "after the first day of April, one thousand eight hundred and ninety."—(*Sir John Dorington.*)

Question proposed, "That those words be there inserted."

SIR JOHN DORINGTON (Gloucester, Tewkesbury) said, he last night mentioned the object of this Amendment, and the President and the Secretary of the Local Government Board expressed their opinion that the view which he took was an exaggerated one. He had reflected over the remarks they made, and he could not help thinking that he was correct in the view he took, and that the time between the period when the County Councils came into effective working, and that when they would have to take over the maintenance of the roads, was far too short for a satisfactory arrangement to be made for carrying out the new work. He, therefore, hoped the Government would assist those who would have the carrying out of this work by granting a longer extension of time than the period to the 1st of April. He did not insist in any way upon the 1st of April, 1890; he

only mentioned that date because he thought it would be a convenient date. It was the date on which the present Highway Authorities would cease to exist, and the new District Councils would come into force; it was also the commencement of the financial year. These were the only arguments he had to advance in favour of that particular date; on the other hand, he quite agreed with the right hon. Gentleman it would be a putting off of the work of the County Councils for a very long time. Therefore, he should be satisfied if the right hon. Gentleman were to name some earlier date—say, three months after the setting up of the County Council, or certainly six months would be better. The business to be undertaken would be very great in his county, and he could speak better for that than for any other county; they had between 800 and 900 miles of main roads, costing about £40,000 a-year. The setting up of a new organization to manage these roads would certainly tax the capabilities of the County Councils to a very great degree, and would be a very large tax upon their time at the commencement of their existence. It was suggested that they should hand over the management to the present authorities, that they should contract with those authorities to do the work. To a very great extent that would be a satisfactory arrangement, but to a certain extent it would not be a satisfactory arrangement. Take the case of counties where there were no Highway Boards at all, and where the County Councils would have to negotiate with an indefinite number of parishes with regard to the management of the roads. His own county, for instance, was about equally divided between Highway Boards and independent parishes. Some Highway Boards were extremely good, others were quite as defective in management as the others were excellently managed, and if he had anything to do in the matter he certainly would not recommend entering into contracts with some of those Bodies in regard to the main roads. It would take a considerable time to make these arrangements, and he certainly hoped that the proposal he had made, simply with a view of facilitating the working of the Act, would meet with the approval of the Government, or else that the Government would make some suggestion to meet him half way.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, he felt the force of many of the remarks of his hon. Friend, but the difficulty he had was in departing from the date laid down in the Bill. His objection to the date fixed by his hon. Friend was that the new system of finance would come into operation at the beginning of April. He could easily understand that it would entail great complication of accounts if they were to say that for three months, which was suggested as a compromise by his hon. Friend, things should remain as they were. There did not seem really any tangible resting ground between the proposal in the Bill and the proposal of his hon. Friend, which would delay the operation of the Bill, so far as main roads were concerned, for 12 months. His hon. Friend had pointed out that they proposed to accept the Amendment of the hon. Gentleman the Member for North-West Sussex (Sir Walter B. Barttelot), which would enable the County Councils to arrange with the District Councils to maintain the roads for three months, or six months, or 12 months; or for any period they thought necessary before they got their own organization into effective use. Although the Amendment of his hon. Friend the Member for Sussex only dealt with a delegation to District Councils, the Government proposed towards the close of the Bill in dealing with District Councils to provide that District Councils should include any existing authorities. That Amendment would enable the County Councils to say to the Highway Boards—"We will delegate to you for whatever time we think fit the care of the main roads under certain conditions." In view of the fact that the elections for these Councils would take place in the early part of January, and that the County Councils would not take over the care of the main roads until the beginning of April, he could not but think there would be time for making the necessary arrangements. He, therefore, hoped that his hon. Friend would be content with the power which was given to the County Councils to make arrangements with the existing authorities. That power he thought would

be amply sufficient to meet all difficulties the hon. Gentleman had foreshadowed.

MR. HENEAGE (Great Grimsby) said, he did not quite understand what the right hon. Gentleman meant by existing authorities. By Clause 3 all the powers of the Quarter Sessions had with regard to main roads and highways been handed over to the County Councils. That naturally included all contracts and arrangements now in existence. Speaking for his own county, and he had been a member of every county committee for the last 20 years, he was persuaded that this would upset everything during the first three months. At the present moment the roads were managed and repaired by the overseers of the parishes, and these overseers received the money due to them on the certificate of the county surveyor. In some cases the Quarter Sessions made arrangements with the Highway Board, and in that case they contracted for the maintenance of the roads for one year, and sometimes for three years, and even longer. Therefore, under Clause 3 the County Councils would take over all the contracts, liabilities, and arrangements of the county magistrates. But what was done by the sub-sections of Clause 15 which they were now discussing? They provided that the roads should be well maintained and repaired by the County Councils. It was quite true that the President of the Local Government Board proposed to accept the Amendment of the hon. and gallant Gentleman the Member for North-West Sussex (Sir Walter B. Barttelot) which provided that the County Councils should, if they chose, delegate their powers to the District Councils, or to anybody else who could do the work better than they could; but the District Councils would not be in operation when the County Councils were first elected, and the real question was whether there would not be utter chaos and confusion during the first three months. He was afraid that under the arrangement which was being made the overseers of the highways during the last three months of the present financial year would scheme to do as little to the roads as possible; they would put very little material on them, and spend as little as possible in repairs; the proverbial stitch in time would not be taken, and the roads would be handed over in such a state that it would take at least three times the amount of money to put them right that would have been necessary to keep them in a state of repair. Of course, the Amendment before the Committee could not be accepted for financial reasons, though he did not think that the hon. Gentleman the Secretary to the Local Government Board (Mr. Long) gave any good reasons why it should not be accepted. Possibly, the hon. Gentleman had spoken from his knowledge of Wiltshire; but the authority of the hon. Gentleman (Sir John Dorington), who had the reputation of being one of the ablest Chairmen of Quarter Sessions in England, was in direct conflict with that of the hon. Gentleman. What was wanted was a *modus vivendi;* they wanted it to be clearly understand that under Clause 3 all the liabilities and contracts would be taken over, and that Clause 15 would not come into force until such time as the District Councils came into existence.

MR. RITCHIE said, he did not quite understand what the right hon. Gentleman meant by a *modus vivendi.* He understood the right hon. Gentleman advanced arguments against the proposal, and that one of his arguments was that there were contracts now existing. If there were contracts existing there would be no difficulty, the roads would be repaired. The right hon. Gentleman also said that, during the last three months of the present financial year nothing would be done. But that argument would hold good whatever year was fixed. The argument was not a good one, because the County Authority at present only paid upon the certificate of the county surveyor one-half, and the Government paid one-quarter, so that if the present authorities did not repair the roads properly the county surveyor would withhold his certificate and the Government would not pay their quarter. Therefore, it seemed to him that the contingency which the right hon. Gentleman feared was not one which was likely to arise; but if it was, it was still as likely to arise 12 months hence.

MR. HENEAGE said, he did not object to the clause in the future, and did not wish that the operation of this provision should be suspended for 12 months. What he wished was that it should be clear on the face of the clause

that the County Councils should take over the contracts as they stood, and should administer the roads in the same way as they were now administered, until the County Councils were able to delegate their powers. The County Councils would not have a staff at their command to manage, to maintain, and repair roads scattered over the whole county. He had spoken to several Chairmen of Quarter Sessions, and they seemed to be of his opinion.

MR. ALLISON (Cumberland, Eskdale) said, he hoped that the hon. Member (Sir John Dorington) would withdraw his Amendment. If the County Councils had to take over the whole management of the roads, he could well conceive that some longer period than was allowed might have been required; but he understood the Government intended to provide that the County Councils might delegate their duties to the District Councils. Under the superintendence of the county surveyor, there would therefore be very much the same system which was now working so well in most counties. He thought that it was simply wasting the time of the Committee to further press this Amendment.

MR. WHARTON (York, W.R., Ripon) said, that all that was asked was that the present authorities should continue to have charge of the roads until the County Councils were able to undertake the duties. Personally, he believed that unless some such arrangement was made, the roads of the county would get into a lamentable state of repair.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG) (Wilts, Devizes) said, it was as well that he should point out that under Clause 124 it was provided that all contracts, deeds, bonds, agreements, and other instruments existing at the present moment should be as binding in every way upon the new authority as upon the existing authority. He, therefore, failed to see how the contingency which his hon. Friend suggested could possibly arise. He could hardly credit that the county surveyor would allow the roads to be improperly repaired. He was convinced that in his own county, as in many others, the surveyor would take every precaution before he granted his certificate. No doubt, some difficulty in connection with financial arrangements might arise as matters now stood; but he thought that if by this Amendment they got rid of one difficulty, the probability was that they would be landed in others much greater.

SIR RICHARD PAGET (Somerset, Wells) said, he objected to the word "delegation." There was no power whatever in the Bill to delegate this duty; and even if the Amendment of the hon. and gallant Baronet the Member for North-West Sussex (Sir Walter B. Barttelot) did not imply delegation. He, however, thought that, on the clear understanding that the Amendment of the hon. and gallant Baronet be accepted, his hon. Friend (Sir John Dorington) would do well not to press his Amendment.

SIR. JOHN DORINGTON said, that on that understanding he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. WOODALL (Hanley), in moving, in line 7, after the word "shall," to insert "save as to any part thereof situate in a borough," said, that the effect of the Amendment was to provide that those portions of main roads which were situated in boroughs should be exempt from the general obligation of being maintained by County Councils. The Committee would be aware that they were many complications in reference to the maintenance of main roads. The obligation to maintain them had been thrown upon the counties since 1807, but there were, in many places, important thoroughfares which were only distinguished from main roads by a technical difference. In regard, however, to the equity and convenience of the maintenance of main roads, the President of the Local Government Board must be aware that he had made a material difference in his scheme by the further concession to boroughs with a population of 50,000. By this scheme all such boroughs would be placed in the position of Quarter Session boroughs. There was hardly any subject upon which such a variety of considerations prevailed. There were many municipal boroughs in which there was not one yard of main road, while in others main roads were an important feature. He candidly confessed that of all the proposals that had been made for dealing with the question, that of the Government was least satis-

factory of all. What was felt, and what he asked the Committee to consider, was that on the whole it would be better to treat all municipal boroughs exactly as they were proposing to treat county boroughs, and in the same way as they had heretofore treated Quarter Sessions boroughs. He wished the President of the Local Government Board to explain precisely how the concession would operate, especially in boroughs where there was a considerable amount of main roads, costing large sums of money to maintain. It would be obviously unjust to draw a revenue from municipal boroughs of large rateable value for the maintenence of external roads, and to leave to them the burden of maintaining all the other thoroughfares which were hardly distinguishable from main roads. The right hon. Gentleman had placed a number of Amendments on the Paper, from which it would appear that he was desirous of meeting the difficulty and arriving at some amicable arrangement between the Municipal Authorities and the County Councils; but he was not prepared to say that those Amendments satisfactorily met the case of main roads. He, therefore, confidently pressed his own proposal, believing that it was a proper solution of the difficulty, and it simply involved the carrying out of a practice which had hitherto worked well, and which was the only arrangement up to 1878.

Amendment proposed, in page 12, line 7, after "shall," insert "save as to any part thereof situate in a borough." —(*Mr. Woodall.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, the proposal of the hon. Gentleman was rather a wide one. He wished, first of all, that the boroughs which remained in the county should maintain their own roads, and draw their own revenues for the maintenance of them. That would mean, although the hon. Gentleman did not say how much, a portion of the duties collected within the municipal area. He did not know whether the hon. Gentleman meant the whole of it. At any rate, his proposal went in that direction. Under the provisions of the Bill, boroughs not included within the districts of the County Councils would be able to maintain their own roads in their own districts in their own way, and they would receive a certain sum in aid derived from local taxation. Not only would the County Councils have the power of devolution, so far as boroughs and urban districts were concerned, but they would be obliged to devolve the power to any borough that applied for it. The County Councils would have no authority whatever to refuse the application of a borough to maintain its own roads. Therefore, as far as that matter was concerned, the hon. Gentleman might be sure that the boroughs and urban districts would have a perfect right to maintain their own roads within their own area. The hon. Member said that it would be very unfair to make such boroughs contribute anything towards the maintenance of roads outside their own districts. There he disagreed with the hon. Gentleman, and he was sure the hon. Gentleman, on reflection, would see that that was hardly a fair ground to take up, because the fact was that roads outside the borough district were very largely used for borough purposes, and the heaviest part of the traffic upon them came from the boroughs. In such circumstances it would have been extremely unfair to the farmers of the county, upon whom highway rates fell heavily, to make and maintain such roads at their sole expense. The Government recognized the importance of the question so much that they said, even in respect of the boroughs outside the counties that were to be formed into county boroughs, that they ought to contribute to the small tax proposed to be imposed on vehicles, even when they were taken out of the county for all other purposes. That being the case, he did not think the proposal of the hon. Gentleman was one which would commend itself to the fairness of the Committee. He did not know whether the hon. Member had Quarter Sessions boroughs in his mind. By the Amendment which would be placed on the Paper by the Government, Quarter Sessions boroughs would be entitled to appeal to the Local Government Board to have their main roads maintained by the County Councils, while their main road rate would be very small, and thus they would be placed in an infinitely better position than that which they at present occupied in respect of the maintenance of their

roads. The position of Quarter Sessions boroughs at present was that they were not liable to contribute to the county rate for main roads. They maintained three-fourths of the cost of their main roads and received a contribution from the Government. They had never given anything to the county, nor had they received anything from the county. As the Government were now about to impose upon them the liability to contribute, it would be clearly unjust if the main roads were not to be maintained by the county. Therefore it was proposed by the Amendment he had placed upon the Paper that Quarter Sessions boroughs should have the right to have their main thoroughfares declared main roads maintainable by the counties. Under this Amendment he thought the boroughs would be in an infinitely better position than they were now. The County Councils would obtain a vote of money sufficient to enable them to maintain the main roads in the county. The whole cost of maintaining main roads throughout the country was £1,000,000 sterling. Hitherto £250,000 had been contributed by the country. That contribution would cease after the passing of the Bill, but in lieu of it a considerable amount of duties would be handed over to the County Authorities by means of the Horse and Wheel Tax, so that 9-10ths or 7-8ths of the cost of main roads would be provided for. The position of Quarter Sessions boroughs would be this, that if they had their main roads declared and maintained by the county, in return they would be liable to pay a rate. Quarter Sessions boroughs would be in a much better position than they were now, and, on the whole, the arrangements made in the Bill would be advantageous rather than otherwise.

Mr. WOODALL said, he would point out that in all cases boroughs with a population of 50,000 would be entitled to become county boroughs; but there might be another municipal borough with precisely the same roads intersecting it which would be left out, according to the proposals of the Government. Did he understand the right hon. Gentleman to say that, having carefully considered the circumstances of such boroughs, the new arrangements would be equally and equitably applied to all?

Mr. RITCHIE said, it was impossible for him to say that he had considered the relative circumstances of individual boroughs, but his opinion was that the boroughs outside would not be placed in a disadvantageous position. They would have to maintain their own roads, but would receive a portion of the new licence duties levied in the county, and they would receive a certain contribution from the Wheel Tax.

Mr. LLEWELLYN (Somerset, N.) said, he objected to the Amendment on the ground that every proposal of the kind would largely increase the expense, and would multiply the authorities who would have to deal with the roads. Some hon. Members were under the impression that certificates in reference to roads were given by competent road surveyors, but in many parts of England they were given by the magistrates themselves, and were not worth the paper they were written on.

Mr. WOODALL said, that in most cases Boroughs possessed competent and efficient surveyors, steam rollers and other appliances, and he assumed that whatever arrangements were made under the Bill the roads would be under the superintendence of the competent staff, which in boroughs had now to deal with them.

Mr. HENEAGE said, he should like to know why municipal boroughs should not have the privilege of maintaining their own roads as well as Quarter Sessions boroughs?

Mr. RITCHIE said, the right would be given not only to municipal boroughs but to urban districts.

Viscount CRANBORNE (Lancashire, N.E., Darwen) said, the question was one of great importance to the county he had the honour to represent. He understood that under the arrangement proposed by the Government a portion of the licensed duties were to be assigned to the maintenence of county roads even within the boroughs. There were several boroughs in Lancashire which were not Quarter Sessions boroughs, and which contributed in the ordinary way to the county main roads. He wished to know what was to be their contribution in future towards the maintenence of main roads in all parts of the county?

Mr. RITCHIE said, his noble Friend must remember that hitherto the Quarter Sessions boroughs had never contri-

buted to the county at all, but, in future, not only would the boroughs which were not Quarter Sessions boroughs, and which were to be made county boroughs, but the county boroughs, inclusive of the Quarter Sessions boroughs, would contribute to the county roads a certain proportion of the Van and Wheel Tax. In return for the contribution to the county by such boroughs, which were not Quarter Sessions boroughs, the county had hitherto contributed one-half of the cost of the roads, but the contribution would now cease.

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe) wished to have a clear explanation from the right hon. Gentleman upon this matter. The right hon. Gentleman said that all boroughs would contribute in future, by means of the Wheel and Van Tax, to the maintenance of main roads. That was not at all clear. The right hon. Gentleman, no doubt, had an Amendment to Clause 30 on the Paper which it was rather difficult to refer to now, but which appeared on page 32 of the Amendments now before the House, and was as follows:—

"In the case of the duties collected by the Commissioners of Inland Revenue in respect of the licences for trade carts, locomotives, horses, mules, and horse dealers under any Act of the present session, those Commissioners shall certify the amount collected in each county in like manner as if the county included each county borough specified in the fourth schedule to this Act as situate in that county, and the amount as so ascertained shall be divided between the said boroughs and the residue of the said county in proportion to rateable value."

In Lancashire, for example, if the tax were treated as a tax upon the county at large, and distributed according to rateable value, about one-half would go to the county outside the boroughs and one-half to the boroughs. That would only be giving to the county what fairly belonged to the county itself, and would not be a contribution from the boroughs to the main roads. It would only be a payment by the wheels in the boroughs which wore out the county roads towards the cost of those roads. He must point out that it was necessary for the Committee to consider the fact that in the Bill as it stood, or as it would be amended by the Amendments of the right hon. Gentleman himself, the expense of main roads for the county would be very heavy unless the Van and Wheel Tax brought in such a large amount in diminution of the county rate as would really leave only a tenth of the expense to be paid out of the county rate. According to the best calculations they in Lancashire had been able to make, they were convinced that nothing of the kind would happen. They could not make out that they would be receiving much more in aid of the county rates for main roads than they were receiving from the Parliamentary grant. He hoped the right hon. Gentleman would give the Committee some more information on the point. The right hon. Gentleman proposed to make a great change in the law with respect to main roads. At present all the Quarter Sessions boroughs were exempt from all payment towards the expense of main roads. The Bill destroyed that exemption, and said that in future all Quarter Sessions boroughs should contribute to main roads. He thought that was a perfectly fair proposal; but instead of being content with this the right hon. Gentleman turned a large number of Quarter Sessions boroughs into county boroughs and again exempted them. Then his hon. Friend who had proposed the Amendment went far beyond the legislation of 1878, applying the exemption to all the boroughs mentioned in the Amendment. This proposal was really a little too strong, and he hoped the right hon. Gentleman would stand firm in resisting the demand.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) said, he thought that some of the Quarter Sessions boroughs would be rather hardly treated by this Bill. At present they did not contribute at all to the main roads of the county, but repaired their own main roads. It was now proposed to make them contribute by means of the Wheel and Van Tax and the Licence Duties, and also to make the rateable property in the boroughs liable to a main road rate. This was hardly equitable. If the right hon. Gentleman proposed that the high street of a large town should be considered a main road, in that case the entire position of matters would be altered. But this, he believed, it was not his intention to do. He did not think the rateable value of the Quarter Sessions boroughs ought to be placed under

contribution to the roads of the county in addition to the Licence Duties and the Van and Wheel Tax.

MR. MOWBRAY (Lancashire, Prestwich) said, he hoped that the Committee would not regard this as a question between town and county, and he trusted that the President of the Local Government Board would stand firm in his opposition to the Amendment. In his constituency there were main roads for four or six miles between different boroughs which ought to be kept up for the purpose of the traffic which mainly passed from one borough to another.

MR. TOLLEMACHE (Cheshire, Eddisbury) asked whether the President of the Local Government Board had read a speech in *The Times* that day, made by Mr. Hibbert, in which it was said that in this Bill practically half the rateable value of Lancashire would be taken away from the rural part of the county. He wished to know whether the proposal of the right hon. Gentleman to appoint a Commission on the subject referred to other counties as well as to Lancashire.

MR. RITCHIE said, that it did not refer to the county of Lancaster particularly, but it would affect all the counties of England and Wales. He had not had time to read the speech of Mr. Hibbert to which reference had been made, but he had had the opportunity and advantage of hearing Mr. Hibbert speak at the Local Government Board. He had pointed out to the right hon. Gentleman that there were two questions raised. In the first place, there was the question whether it was the case or not that the Quarter Sessions boroughs in Lancashire did not at present pay a sufficient amount towards the maintenance of the main roads. The deputation thought not, and that to deal with the question on the present basis would be unfair on account of that exemption. As to that point he was bound to say that he could not hold out any hope that the Government would be prepared to make any alteration. In this Bill they had been compelled to take the law as it stood, and where they found that exemptions existed they could not attempt to inquire whether such exemptions were right or wrong, but were obliged to take them as they found them. That being so, his hon. Friend would recognize the fact that, as a large number of the boroughs in Lancashire were Quarter Sessions boroughs and had never contributed towards the main roads, Lancashire was not being deprived of anything she had previously received as far as the boroughs were concerned. That was one point in connection with Lancashire. In the second place, he had pointed out that care must be taken that a fair and equitable adjustment was made as between the boroughs that were taken out of the county and the remaining portion of the county. On that point he had said that those concerned had good ground for making representations to the Local Government Board, and he had promised that he would consider the matter. The result of the consideration was that he had put down an Amendment on Clause 30, which, however, it would not be right or proper, nor would it be in Order, to discuss now. The idea of the Government was this, that as far as the existing application was concerned, they could not undertake to inquire whether the basis of assessment was right or wrong; but they ought to make provision that the county should not in any way be financially injured by the boroughs being taken out of them. As far as he understood the Representatives of the boroughs, prior to the decision which was arrived at which took certain boroughs out of the county, there was not a single borough Member who did not express entire concurrence with him that whatever provision was made care should be taken to secure that the contribution of the boroughs should continue to be paid. It was said, that it was not so much a question of finance, or whether they would gain or lose, but that they should be left to their own independent action. It was on that distinct understanding that he had enlarged, to so great an extent, the fourth Schedule, and he had no reason to believe that there was any strong feeling adverse to a fair adjustment of the financial relations between the counties and boroughs.

MR. HENRY H. FOWLER (Wolverhampton, E.) said, the right hon. Gentleman had stated with perfect accuracy and fairness the position taken by the large municipal boroughs in reference to the question, and he did not think there was the most remote desire on the part of the boroughs to depart from the original arrangement. The

right hon. Member for Clitheroe (Sir Ughtred Kay-Shuttleworth), however, had attempted to depart from it in another direction, and to put a burden upon the boroughs which at present they did not bear. He could assure his right hon. Friend that that proposition would be resisted to the utmost. He could quite understand that Lancashire was an exceptional county. For his own part he could understand that there was a difficulty; but, if necessary, it must be dealt with exceptionally by the House. But they should not have injustice done throughout the length and breadth of England simply on account of what was being done in Lancashire. He would recall the attention of the Committee to what the position of these main roads was. Prior to the passing of the Main Roads Act the expense of maintaining the roads was paid by the turnpikes. When the roads were disturnpiked, the counties had imposed upon them by the Act of 1878 the liability of contributing one-half, the other half being paid by the Local Authorities. The Quarter Session boroughs were exempt from that arrangement; but had to maintain the roads within their own area without receiving any contribution from the county. He quite admitted that with regard to small Quarter Sessions boroughs the arrangement would be perfectly fair; but the present legislation was intended to meet the case of the large boroughs. He would give, as an illustration, the case of a main road in Wolverhampton. That road was originally constructed out of the Consolidated Fund, and it formed the main road to Dublin by way of Holyhead. The Act imposed upon the borough of Wolverhampton the entire expense of maintaining that road at a cost of something like £200 a-mile. The borough of Wolverhampton did not ask for any exemption, they would still have to bear that burden, but the roads they had to maintain within the boroughs represented a rate of 1*s.* Therefore, in any re-adjustment of the burden of keeping the main roads in repair, they maintained that the county ought to make some contribution, which, at present, they did not.

MR. STANSFELD (Halifax) said, he could not say that his view was entirely that of his right hon. Friend on that occasion. He had always desired that a Local Government Bill which created County Councils should make much of the county, and he wanted, as far as possible, that the boroughs should be part of the county, and that certain representative functions might be devolved upon them. But hon. Members on that side had incurred considerable disappointment owing to so many boroughs having applied, not unsuccessfully, to be taken out of the counties in which they were situate. He thought that these financial questions should be deferred until they had dealt with the constructive part of the Bill, and that they should then be approached with a view to setting them on a fair and equitable basis. He thought they could not advisedly carry further this discussion, so far as finance was concerned. He reminded the Committee that the Amendment on which they were engaged had for its object that the County Councils should have nothing to do with the repair and maintenance of main roads within boroughs. For his part, he was ready to make his acknowledgments to his hon. Friend, who had stated the case of the boroughs very fairly; but to say any borough, however small, should maintain its own main roads and not contribute to the county, would, in his opinion, be unadvisable, and if his hon. Friend were to press his Amendment to a Division, he should be compelled to vote against it.

MR. WOODALL said, there were many boroughs whose position in this matter of main roads was much more strikingly inequitable than anything he had been able to instance. He confessed that he found himself between two cross fires, and, being ready to meet the views of his right hon. Friend on every occasion, as far as he could properly do so, as well as to further the progress of the Bill, he would ask leave to withdraw his Amendment. He must, however, reserve to himself the right to raise this proposal again at a later stage when the right hon. Gentleman's scheme was more clearly understood.

Amendment, by leave, *withdrawn.*

BARON DIMSDALE (Herts, Hitchin) said, the Amendment in his name had for its object to transfer the maintenance and repair of roads from the County Council, as proposed in the Bill, to the District Council, and the proposal, he

thought, would probably receive some favour at the hands of the Committee, not only upon its own merits, but because he saw similar Amendments on the Paper in the name of other hon. Members. He ought, perhaps, to explain that the series of Amendments in his name were unanimously adopted by the Court of Quarter Sessions in his own county, and as it was his duty to bring them forward, he would state the case for them as briefly as possible. It was pointed out that the County Council was too large a Body to undertake the maintenance and repair of main roads, and that it would be better that this should be entrusted to smaller Bodies, which should take charge of the roads over smaller areas. In his own county there would be a Council of 68 members, who would meet at one convenient place; but there would be no less than 28 District Councils formed in the county, and it appeared to him that the maintenance of the main roads would be entrusted to them with greater advantage than to the County Councils. His Amendment, then, would provide that the administration and management should reside in the District Council, and the County Council should exercise a supervising power. At the present time, the Quarter Sessions had, by their Committees, undertaken the work, and the system had been found to answer very well, and he ventured to believe that, by the adoption of his proposal, a more efficient and economical administration of main roads would result than from the proposal of the Government.

Amendment proposed, in page 12, line 8, after "county," insert "district."—(*Baron Dimsdale.*)

Question proposed, "That the word 'district' be there inserted."

MR. LONG said, he thought his hon. Friend could hardly expect the Government to accept this Amendment, because it would destroy what they believed to be one of the most useful provisions of the Bill—namely, that the County Councils should be directly responsible for the maintenance of main roads. His hon. Friend had stated that the existing arrangement worked extremely well. He did not deny that there had been a great improvement in the condition of main roads in his own county, but he thought that anyone who had taken part in the administration of road work in Quarter Sessions must realize that the existing powers of the Quarter Sessions were not adequate for the purpose in view. Although it was true that the certificate was not issued unless they were satisfied, at the same time it was frequently the case that the surveyor was prevented by his present position either from making any recommendations or from seeing that they were carried out. The Government believed, therefore, that the proposal in this clause was an improvement on the existing system, and for that reason did not find it possible to accept the Amendment of his hon. Friend.

MR. CHANNING (Northampton, E.) said, that as he had an Amendment on the Paper exactly identical with that of the hon. Member opposite, he wished to say a few words in support of the proposal to confine the administration of main roads to the District Council. He regretted the answer of the hon. Genleman the Secretary to the Local Government Board, because in his own neighbourhood there was a very strong consensus of opinion in favour of the principle embodied in the Amendment. The only difference of opinion was as to whether there should be something in the nature of a permissive system of contract between the County and District Councils such as he understood to be proposed by the hon. and gallant Baronet the Member for North-West Sussex (Sir Walter B. Barttelot). From what he had heard on this subject in the county which he represented, it was obvious to him that a great saving of expenditure would result from the administration of main roads being concentrated in the District Council. There was an opinion in favour of something like an improvement on the 13th clause of the Highways Act, in order to ensure adequate supervision and management of highways. So far as he understood, there was an objection to the Highway Boards on the ground that they were not sufficiently numerous. Their administration was generally approved, and the transfer of their duties to the County Councils would, in his opinion, be satisfactory. He should willingly support the Amendment of the hon. Member, and he hoped there would be an expression on the part of other county Members on both sides of the House in

favour of the principle for which he contended—namely, that the highway administration should be concentrated in the District Councils. If the Government could not accept the Amendment, he hoped they would adopt that of the hon. Member for Ashburton (Mr. Seale-Hayne), which would give the same power to the Rural District Councils as the clause gave to Urban Authorities.

VISCOUNT WOLMER (Hants, Petersfield) said, he did not know what his hon. Friend meant by concentration of administration; but the meaning appeared to be that the main roads of the county should be parcelled out to the District Councils; which, to his mind, was as unsatisfactory and uneconomical a method of maintaining the roads as could be conceived. The roads in question were the main arteries of circulation through the counties from end to end, and they were now told that they were to be left to Boards of Guardians, every one of which had its own idea of road maintenance, some of them very unscientific, as well as their own peculiar views on the question of using local stone. He was of opinion that this matter must be dealt with as a whole by the County Council. Road-making, to be scientifically conducted, must be done with the best stone that could be procured, and he thought it stood to reason that the County Council would be better able to command the best stone than the District Council. For these reasons, he hoped the Government would not accept the Amendment of the hon. Member for Hitchin (Baron Dimsdale).

VISCOUNT EBRINGTON (Devon, Tavistock) said, he agreed that the Highway Board system was an improvement on the old parish system; but the qualifications thought necessary for surveyors were not always high. He had known a case where the principal recommendation offered on behalf of a candidate was that his brother had held the post before him. He thought that the proposal of the Government, modified by the Amendment of the hon. and gallant Member for North-West Sussex (Sir Walter B. Barttelot), was much more likely to produce good road-making than that now before the Committee.

MR. A. J. WILLIAMS (Glamorgan, S.) said, he thought that, in framing this new Local Government Bill, it would be wise to borrow from the experience of South Wales, and place the whole of the main roads under the County Councils.

MR. A. H. DYKE ACLAND (York, W.R., Rotherham) said, that the proposal of the Government meant the establishment of a new staff different from that at present working in the counties. He did not know whether it was implied that the County Councils might maintain the roads in an efficient state by means of contracts with the District Councils; but, if so, he had nothing to say against the proposal.

MR. LONG said, the Government did not propose to entail on the County Council the providing of the machinery for the maintenance of the roads. But power was given them to maintain the roads, and if they believed they could do that more economically and better through their own surveyor they would have the right to do so. On the other hand, if they believed they could do the work more economically and better by contract with the District Councils and the present authorities, they had power to do so; and there would be no necessity for the new machinery to which the hon. Gentleman had referred.

Amendment, by leave, *withdrawn.*

Amendment proposed, in line 8, page 12, after "situate," insert "and no tolls, commonly called turnpike tolls, shall be collected in South Wales."—(*Mr. A. Thomas.*)

MR. RITCHIE said, he might spare the hon. Gentleman some trouble by pointing out that, under the new condition of things, Wales would in future be in the same position as any other part of the country as regarded main roads. The counties would collect their own Licence Duties, and it would, therefore, seem unjust that the toll system should be continued. It was, he believed, the unanimous opinion of the people that the tolls should be abolished, and the Government were prepared to accept the principle of the Amendment of the hon. Gentleman. But he would ask him not to press for the insertion of the words here, because they would come in rather awkwardly, but be satisfied with his assurance that he would be prepared hereafter to carry out his wishes either by Amendment or by means of a new clause.

[*Eleventh Night.*]

MR. DILLWYN (Swansea, Town) said, he agreed to the proposal of the right hon. Gentleman, and pointed out that the main roads in South Wales having, with regard to turnpikes, been dealt with in a special manner, it was the desire of the inhabitants that they should now be placed in the same position as the rest of the Kingdom.

SIR JOSEPH BAILEY (Hereford) said, he might point out that funds for the roads were provided not only by tolls, but by a county road rate of a special character; that was to say, its incidence is not the same as the ordinary county rate; and the tenant could recover it from the landlord. He rose to express a hope that when the clause of the right hon. Gentleman was brought in, he would see that the county road rate was also abolished.

MR. A. J. WILLIAMS said, that Clause 15, which provided that the cost of maintaining the main roads appeared to him a more appropriate place for introducing the Amendment. At any rate, Clause 46 was not the proper place.

MR. RITCHIE said, the subject was one which must be dealt with rather comprehensively. It could not be dealt with in a line or two, and his own opinion was that it was a fit subject for a new clause.

Amendment, by leave, *withdrawn.*

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, the law with regard to foot-paths was not very clear. An hon. Friend had told him of a case in point; it appeared that the Authorities, owing to the uncertain state of the law, were keeping in repair a path out of Cheltenham rather than run the risk of not repairing it. That was not his view of the case, although he was bound to say that he had spoken with one or two professional men in his Division of Sussex, who said that if they were to take over the main roads in towns they might be liable for the repair of the pavements at the side as well as of the road itself. He believed the Committee would think it unjust that the County Councils should be compelled to pay for these pavements. Again, he might point out that some of the towns might think it right to have wood or stone pavements in the roads, and it would be manifestly unfair that the County Councils should have to pay for that. The right and proper course was to repair the road as it had hitherto been repaired, and maintain it in a condition fit for the conveyance of the through traffic. He believed his right hon. Friend was prepared to accept the Amendment he had placed on the Paper with a certain modification, which, if it met with the approval of the Committee, he (Sir Walter B. Barttelot) was willing to accept; but he would like to hear his right hon. Friend's views on this question, which was of undoubted importance. Some of the foot-paths he had referred to were made for the benefit of a particular parish, or for some special purpose, such as making and raising a path so as to get dry to church, and did not form part of the main road; and it would be very unwise to allow the repair of these to be taken over by the County Councils. For these reasons he begged to move the Amendment he had placed on the Paper.

Amendment proposed,

In page 12, line 9, leave out "and," and insert "but such main road shall not be deemed to include any footpath or pavement by the side of such road, nor shall the county council be required to maintain or repair a road further or otherwise than is necessary for maintaining the same in a condition fit for the conveyance of the through traffic."—(*Sir Walter B. Barttelot.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, his hon. and gallant Friend's Amendment divided itself into two parts, one of which related to the question of foot-paths, the other to the condition in which main roads should be maintained. His hon. and gallant Friend said truly that the law was not as distinct on this matter as was desirable; but certainly so far as the question of the pavements was concerned he did not think there could be much doubt that no liability rested with the county to maintain those at the side of the main roads in boroughs. With regard, however, to footpaths in the rural part of districts he thought the practice was different, and that the rule had been that the county should contribute towards the maintenance of such foot-paths. He believed the words of the Turnpikes Act were pretty clear—namely, that the turnpike trustees were authorized to make and repair causeways for the use of passengers at the side of turnpike

roads; but the following section provided that they were not to make or repair any footpath in a village or town. He should wish his hon. and gallant Friend, therefore, to accept an alteration of the first portion of his Amendment, which would show clearly that no obligation should lie on the County Council to maintain any paved footpath—that he should leave out the words "footpath or pavement," and insert "any paved or pitched causeway or pavement." That he thought would carry out the desire of his hon. and gallant Friend in that respect. With regard to the other portion of the Amendment dealing with the repair of roads, he might point out that the proposal of his hon. and gallant Friend amounted to the division of the repair of the roads into two parts—the first related to the part which had to do with local traffic, and the second to that required in the county for through traffic. If the Amendment of the hon. and gallant Baronet were inserted in its present form, he could easily imagine that a conflict of opposition might arise between the District and the County Councils as to the interpretation of local as distinguished from through traffic. It would be extremely undesirable that any such conflict of opinion should arise, and it seemed to him to be a plain duty to maintain the roads in a proper state of repair, no matter whether it was out of repair on account of local or through traffic. But his hon. and gallant Friend said that the Town Authorities might take it into their heads to put down wooden or stone pavement. He would, however, point out to him that by this Bill a Town Council, if it desired to maintain its own roads, would only be able to call on the County Council for a contribution on the same basis as that on which the contribution was now made, so that it did not seem that the case which the hon. and gallant Gentleman had suggested was at all likely to arise; and, further, he believed it would be seen that if the road through a town or urban district were pitched or paved in any way it might cost considerably less to repair—although the original cost might have been great—than would be the case if the ordinary pavement had to be used. Therefore, he hoped his hon. and gallant Friend would not think it necessary to press the latter part of his Amendment, but adopt his suggestion with regard to the first part, in which modified form the Government were, as he had said, willing to accept it.

MR. MALLOCK (Devon, Torquay) said, he hoped the Government would not accept the Amendment of his hon. and gallant Friend, who seemed to think that the footpaths at the side of main roads were not maintainable by the Main Road Authorities. He knew, however, that in the county of Devon the cost of maintaining footpaths, which existed during the time when the main roads were turnpike roads, had always been allowed. It seemed to him that the paths must be kept up by someone; and, therefore, if it were not done by the County Council it must be done by the District Council, and then there would be two surveyors side by side engaged upon the same road. There were many cases of main roads in rural districts running between two large towns, for the sake of which towns only the footpaths were kept up, and it would, therefore, be unfair to throw the cost of their maintenance upon the rural districts. He also reminded the Committee that many roads were declared main roads because they led to railway stations situated outside the urban districts which used them; those roads had paved footpaths—he knew of an instance—and, therefore, the whole cost of them would be thrown upon the rural districts.

MR. HALLEY STEWART (Lincolnshire, Spalding) asked if the right hon. Gentleman meant footpaths wholly pitched and paved, or did he mean to include those which had a curb at the side?

MR LLEWELLYN asked with whom the maintenance of the footpaths, which were of importance in the localities in which they existed, was to rest?

MR. RITCHIE said, he had not proposed that footpaths should be excluded from the Bill. The Amendment he suggested would only exclude pitched or paved causeways or pavements.

MR. LLEWELLYN said, he took exception to that. Someone must take charge of the footpath, whether paved or otherwise, and the proper authority to do that was the one which had charge of the roads.

SIR MATTHEW WHITE RIDLEY (Lancashire, N., Blackpool) said, they were now engaged in transferring certain powers from Quarter Sessions to the County Councils, and he submitted that

it would be more convenient not to discuss upon this clause the question of amending the Highways Act of 1878. The only way in which they ought to discuss the District Council was in its relation to the County Councils and their power to discharge the powers of Quarter Sessions. He suggested that his hon. and gallant Friend should withdraw his Amendment.

MR. KNATCHBULL-HUGESSEN (Kent, Faversham) said, he considered that this was the most important Amendment that had been considered by the Committee. He might point out that a large portion of the footpaths in county towns were continued a considereble distance beyond the latter. They were often constructed of cement and asphalte, and it seemed to him that they were made for the convenience of the parish people, and, consequently, that it would be a great injustice if the cost of maintenance were thrown upon the County Council. He hoped his hon. and gallant Friend would persevere with his Amendment.

MR. W. H. JAMES (Gateshead) said, that as the law at present stood no person had a right to make enclosure within 15 feet of the centre of the road; and if the footpaths were left in the condition they would be in under the Amendment of the hon. and gallant Baronet, they would, to a great extent, become of the nature of common land, and adjacent owners would have an inducement to make illegal encroachments upon them. There would then be fences instead of the pleasant strips which now border many roads on either side. He thought that would be the effect of the Amendment, and, therefore, hoped the hon. and gallant Gentleman would not press it.

VISCOUNT EBRINGTON said, he thought the Committee would do well not to attempt to amend the Highway Act. He thought the hon. Member who last spoke had exposed one of the objects of the Amendment.

MR. RITCHIE said, he thought his hon. and gallant Friend would see that the opinion of the Committee was largely in favour of his Amendment not being passed. He sympathized with every attempt to amend the law, but their labours would be considerably increased if they were to attempt to make all the alterations suggested. He thought it was the opinion of the Committee that the law at present provided security for the County Council never being called upon to do more than was necessary in respect of the roads, and he trusted, therefore, that his hon. and gallant Friend would not press his Amendment.

Amendment, by leave, *withdrawn.*

SIR WALTER B. BARTTELOT said, the Amendment he was about to propose, whilst enabling the County Council to hand over to District Councils the repair of main roads, yet retained in the County Council those powers which he thought it absolutely necessary that they should possess in order to insure that the main roads should be kept in a good and efficient state. The noble Lord the Member for the Petersfield Division (Viscount Wolmer) had said that it would be better if the County Councils could maintain and keep the roads in repair; but he thought the noble Lord would consider that the proposal he made was one which would work well, and be far more economical in its results than a system under which two surveyors would be working side by side. In the interests, therefore, of economy and efficiency he begged to move the Amendment which stood in his name.

Amendment proposed,

In page 12, at end of line 17, insert—"(4.) The county council and any district council may from time to time contract for the undertaking by the district council of the maintenance, repair, improvement, and enlargement of, and other dealing with any main road, and, if the county council so require, the district council shall undertake the same, and such undertaking shall be in consideration of such annual payment by the county council for the costs of the undertaking as may from time to time be agreed upon, or, in case of difference, be determined by arbitration, in manner provided by this Act.

"(5.) Provided, that in no case shall a county council make any payment to a district council towards the costs of such undertaking as respects any road, or towards the costs of the maintenance or repair of any road by an urban authority, until the county council are satisfied by the report of their surveyor, or such other person as the county council may appoint for the purpose, that the road has been properly maintained or repaired, or that the improvement or enlargement of or other dealing with the road, as the case may be, has been properly executed."—(*Sir Walter B. Barttelot.*)

Question proposed, "That those words be there added."

MR. SEALE-HAYNE (Devon, Ashburton) said, he had an Amendment on the Paper to the same effect as that of the hon. and gallant Baronet, and would, therefore, say a few words in support of the principle involved. He thought there was a very strong desire in the counties that the District Authorities should have power to retain the control of their own roads. The Rural Authorities desired to be vested with the same power as was proposed to be given to the Urban Authorities, and he was at a loss to understand why they should not have it. He believed it would be productive of greater economy that this should be done, because the District Authorities would have their own staff for the maintenance of the roads; he was perfectly confident that they would repair more efficiently and economically the portions of the main roads which passed through their districts than would be the case under the system proposed in the Bill. Moreover, he believed, the inhabitants of the districts would be the best people to keep watch upon the roads, and to compel the District Authorities to keep them in order; and the public at large would, of course, be protected, because the County Inspector would see that the District Authorities maintained the main roads in proper condition. Under these circumstances, he sincerely hoped that the Government would accept the Amendment of the hon. and gallant Baronet.

MR. M'LAREN (Cheshire, Crewe) said, he hoped that if the Amendment were accepted, the word "annual" would be struck out. It was well known that at times it was much more economical to pave old roads than to go on repairing them. It was desirable that the payment for this should not be made by annual payments, but in one lump sum.

MR. LONG said, the Government were prepared to accept the Amendment of the hon. and gallant Gentleman as it stood. The Government, however, could not accept the proposal of the hon. Member for Ashburton (Mr. Seale-Hayne) that the same power should be conferred upon the Rural Authorities as upon the Urban Authorities, because it would not fall in with their proposal that the maintenance of the roads should fall on the County Council. With reference to the point raised by the hon. Gentleman who had just spoken, he did not think it necessary to take out the word "annual," because whether the money was spent in one year or three, the authorities must expend what was necessary to keep the roads in a proper state of repair.

MR. STANSFELD said, he could hardly understand the necessity for the Amendment.

MR. RITCHIE pointed out that the proposed arrangement would be useful in the case of where a strip of road belonging to a rural area came between two Urban Authorities, the maintenance of which it would be too costly for the County Council to keep in their own hands.

MR. BRUNNER (Cheshire, Northwich) said, he thoroughly approved the Amendment, which was a step in the direction of economy, a principle too often lost sight of in the Bill.

Question put, and *agreed to.*

Mr. M'LAREN said, the object of the Amendment which he rose to propose was to do away with a hardship only recently discovered by Local Authorities. By a decision of the Court of Appeal this year an Urban Authority had had to pay out of its own pocket the cost of paving a road with paving blocks, as it was held that that did not come under the head of maintenance. A great injustice had been inflicted, because in this case the work, which cost £80, would have lasted for 10 years, while the cost of macadamizing the road would have come to £10 annually during that time. In this latter case the Urban Authority would get three-fourths of the cost returned to them, and so would really only have had to pay £25 spread over 10 years. He hoped the right hon. Gentleman would accept the Amendment he was about to move.

Amendment proposed,

In page 12, line 24, after the word "same," insert the words, "and for the purpose of the maintenance, repair, improvement, and enlargement, and other dealings with such road, shall have the same powers, and be subject to the same duties as a highway board."—(*Mr. M'Laren.*)

Question proposed, "That those words be there inserted."

MR. LONG said, that the Government were prepared to accept the first Amendment of the hon. Gentleman

because it appeared that this section of the clause did not confer on the Urban Authorities quite sufficient powers; that was to say, not quite the same powers that the preceding sub-section of the clause conferred on the County Councils. He did not know whether he would be in Order in referring to the second Amendment which the hon. Gentleman regarded as consequential, but which could not be accepted by the Government as a consequential Amendment. If the Government were to accept the hon. Gentleman's second Amendment the result would be that the County Councils would be liable to be called upon to repay to the District Councils the expenses incurred not merely in repairing the roads, but in the improvement and enlargement of them, and of course the enlargement and improvement would include the widening of streets or the buying up of property. It must be evident to the Committee that it would be impossible to lay on any County Authority any such burden. Of course, the Government recognized that there was some grievance in a case such as that cited by the hon. Gentleman; but it was impossible to render the County Councils liable to the very heavy expenses in question. The Government would accept the first Amendment, which dealt with the powers of the Urban Authority, but they could not accept the second Amendment, which, as he said, threw on the County Councils liability which they could not reasonably be expected to bear.

Question put, and *agreed to.*

MR. M'LAREN said, he now begged to move to insert "improvement or enlargement" after "repair" in line 26. This Amendment raised a very important principle indeed, and it was one he really hoped the Government would see their way to accept. Of course, he did not wish to insist upon the insertion of the particular words he proposed. He was entirely at one with the hon. Gentleman the Secretary to the Local Government Board (Mr. Long) in saying it would be absurd to expect the County Councils to pay for the making of streets or the buying up of property. He had no idea that the words he proposed would bear such a construction, and therefore he was willing to accept any proposal the Government might make to obviate such a rendering. The point he had in view was quite clear and distinct. He had in mind, as he had said, one case—it was one of a great many instances—in which the Leek Improvement Commissioners spent £80 in paving a short piece of road. By that they effected a great economy, they saved an annual outlay of £10 a-year for 10 years. If, instead of doing that, they had gone on expending £10 a-year for 10 years, they would have spent £100 in all. They would have got £75 back again into their own local coffers, and therefore they would have only laid a burden of £25 upon the Leek people extending over 10 years. Instead of that they spent £80, and when they had done so, they had to bear the whole burden themselves. No one knew that was the state of the law until this year. If it was an old and well-established law he would not press this point so very much; but a decision in the matter had only been given so late as the 7th of May. All that was asked was that this defect should be remedied. He would accept any words which would remedy it, and he earnestly appealed to the Government to consider the matter favourably.

Amendment proposed, in page 12, line 26, after the word "repair," insert the words "improvement or enlargement."—(*Mr. M'Laren.*)

Question proposed, "That those words be there inserted."

MR. HARRY T. DAVENPORT (Staffordshire, Leek) said, that Leek was in the Division of Staffordshire, which he had the honour to represent, and he could confirm what the hon. Gentleman (Mr. M'Laren) had said as to the Leek case. When the street had been paved with blocks the Quarter Sessions, in the exercise of that economy which was one of their greatest characteristics, refused to make their contribution; the case thereupon came before the Courts, with the result mentioned. He hoped that some interpretation of the word "maintenance" or "improvement" would be inserted, which would meet such a case as this. He understood that the hon. Gentleman was prepared to vary his Amendment in any way which the Government might desire, and he trusted that the Government would be able to

see their way to meet the views of the hon. Gentleman.

MR. M'LAREN said, he thought that if they left out the word "enlargement," and agreed to the words "improvement with regard to paving," the difficulty would be met.

SIR WALTER B. BARTTELOT said, he thought that his Amendment would cover the matter, because it said that the County Councils might do so-and-so, and he thought that that was all that was necessary.

MR. BRUNNER said, that the hon. and gallant Baronet's (Sir Walter B. Barttelot's) Amendment did not quite cover what might be an exceptional or temporary provision such as was required in the Leek case. He suggested to the right hon. Gentleman the President of the Local Government Board that provision might be made for an agreement between the County Council and the District Council which would meet such a case as the one in point.

MR. RITCHIE said, that that was exactly what his hon. and gallant Friend's Amendment which had been added to the Bill did, because it said—

"The county council, and any district council may from time to time contract for the undertaking by the district council of the maintenance, repair, improvement, and enlargement of, and other dealings with any main road, and, if the county council so require, the district council shall undertake the same."

MR. STANSFELD said, that, as he understood the position, they were now dealing with the case of an Urban Authority having elected to take charge of the main roads within its own limits; they were not dealing with the case where the District Council and the County Council had come to an agreement. His hon. Friend the Member for Crewe (Mr. M'Laren) had brought to the notice of the Committee a legal decision which, as he understood it, was this—that where the Local Body, instead of repairing a main road in the old style, had repaired it in an improved style, it had been held not to be repaired, but to be a re-making of the road, and that thereupon it had been held that the Local Body must bear the whole cost of such remaking. What had been done might prove an economy in the long run; but still the Local Body had no claim at all for a contribution. He was sure that everyone in the House wished the County Council to contribute a fair proportion in respect to what was necessary for the maintenance of the main roads within the limits of a smaller district. It might be that, where there was a great deal of traffic, paving would, in the long run, be more economical; but whether it was more economical or not, the County Council, according to the legal decision, would get off without any contribution whatever. It was not always easy to find a way, on the spur of the moment, of getting out of a difficulty; but it occurred to him that a remedy might be found by inserting, after the word "repair," in line 26, the words "or reasonable improvement."

MR. FULLER (Wilts, Westbury) said, that the difficulty might be met if they were to put in the Bill a definition of what was "maintenance." There were may other things besides paving which might come under the heading of "maintenance;" and, therefore, it was as well that there should be a definition of the word.

MR. RITCHIE said, he understood that the point was that there should be some provision by which a district should have some kind of claim for reasonable improvements made in their roads; and clearly, of course, it would be to the interest of the County Councils, who had to pay for the maintenance of the roads, that reasonable improvements should be made, because in that case the cost of maintenance would be less. If the hon. Member for Crewe (Mr. M'Laren) agreed, the Government would accept the proposal of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) subject to future consideration, in case it did not quite meet what was wanted.

MR. M'LAREN said, he was quite prepared to accept the Amendment suggested by his right hon. Friend, and therefore asked leave to withdraw his original proposal, and he would then move the words suggested — namely, "or reasonable improvement."

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 12, line 26, after the word "repair," to insert the words "or reasonable improvement."—(*Mr. M'Laren.*)

Question, "That those words be there inserted," put, and *agreed to.*

MR. RITCHIE said, he had now to propose to leave out the words—

"In like manner and on the like conditions as the contribution towards such costs is directed by the Highways and Locomotives (Amendment) Act, 1878, to be paid."

The reason he proposed to omit these words was that he found, from a great many communications he had had, that they were likely to be misunderstood. The Bill only provided for the payment by the county of one-half the cost, and a great many of his correspondents outside the House and inside the House seemed to think that the retention of these words would imply, at any rate, that the contributions of the county should only be the same as were specified. The words were not at all necessary, and he proposed to omit them.

Amendment proposed, in page 12, line 26, to leave out the words from the word "road" to end of line 28.—(*Mr. Ritchie.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived.*

MR. BRUNNER, in moving an Amendment which stood in his name, said, he supposed he would hear from the right hon. Gentleman whether the omission of words they had agreed to would affect the Amendment?

Amendment proposed, in page 12, line 26, after the word "road," to insert the words "to the extent of three-fourths of such cost, but otherwise."—(*Mr. Brunner.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, it was quite evident that the insertion of these words would be a total departure from the principle of the Bill. They had provided the County Councils with what was considered adequate funds; they called upon the Councils to maintain the whole cost of the roads, and the hon. Gentleman now proposed to relieve them of one-fourth of that cost.

Question put, and *negatived.*

MR. RITCHIE, in proposing to leave out from "sum," in page 12, line 30, the words—

"Based on the average expenditure on the road during the three years next before the passing of this Act, or the date of the road becoming a main road (as the case may be),"

said, it would be seen that in the Bill they proposed to say that the annual sum should be paid on the average expenditure during the three years before the passing of the Act. He had found, from a great number of communications he had received, that this basis was a basis which most of those who were interested desired to alter. Some correspondents suggested that the term should be three years, some five, and some seven. The Government, however, thought, on the whole, that it would be desirable not to lay down any absolute basis at all; and he, therefore, begged to move the omission of the words.

Amendment proposed, in page 12, line 30, to leave out from the word "sum" to the second "as" in line 32.—(*Mr. Ritchie.*)

Question proposed, "That the words 'based on the average expenditure,' stand part of the Clause."

MR. HENRY H. FOWLER said, he thought there was a little misconception in using the word "contribution." He could quite see why the right hon. Gentleman had left out the last three lines of the preceding sub-section. If those lines had remained in the clause, all that the County Council would have been called upon to contribute would have been one-half of the cost of the main roads. "Contribution," which was the word used in this sub-section, was rather like "subscription;" the payment might be a large one or be a small one. He certainly thought that some other word should be substituted for "contribution."

MR. RITCHIE: Payment.

MR. HENRY H. FOWLER: The alteration could be made on Report.

Question put, and *negatived.*

MR. FULLER, in moving the insertion of the words "from time to time" after "as may be," in line 32, said, unless those words were put in, the fixed annual sum would not be alterable from time to time, as the circumstances altered in the different rural districts. The wear and tear on the roads might be increased or decreased in certain circumstances, and the contributions should, therefore, be varied from time to time.

Amendment proposed, in page 12, line 32, after "as may be," insert "from time to time."—(*Mr. Fuller.*)

Question, "That those words be there inserted," put, and *agreed to.*

MR. BRUNNER, in moving in the same page to leave out the word "arbitration," in line 33, and insert "the Local Government Board, after inquiry," said, he moved that Amendment at the request of the Association of Local Boards and other Sanitary Authorities, a very important Body which represented such authorities over a very large proportion of the country. They desired him to say they were so thoroughly satisfied with the action of the Local Government Board in these local inquiries that they would very much prefer being left in the hands of the Local Government Board. A good many of them had experience of arbitration, and it was not at all a pleasant experience. When the Local Government Board did its work well, and the authorities over whom it ruled were perfectly satisfied with it, he regretted to find—it might be through an excess of modesty on their part, but whatever it was he regretted very much to find it—that the Local Government Board was disposed to part with this work. He recommended this Amendment to the right hon. Gentleman, and trusted sincerely that he would accept it.

Amendment proposed, in page 12, line 33, to leave out the word "arbitration," and insert the words "the Local Government Board, after inquiry."—(*Mr. Brunner.*)

Question proposed, "That the word 'arbitration' stand part of the Clause."

MR. LONG said, he thought the Amendment was unnecessary, because if the parties did not agree upon an arbitrator the Local Government Board would be empowered to interfere.

MR. HENRY H. FOWLER said, he hardly thought that met the case. Arbitration was really a most expensive proceeding. He was not one of those who advocated denuding the Local Government Board of its powers. He thought that the Board exercised its powers most efficiently and economically, and he thought matters of this kind could certainly be settled in an hour or two by the Board, and at very little or no cost. In the interest of economy he asked the right hon. Gentleman to accept the Amendment.

MR. RITCHIE said, they must be very careful in this matter. The Local Government Board were perfectly willing to undertake any duties the House of Commons desired to place on the shoulders of the Board; but if questions of this kind were to be left for settlement by the Board, the House of Commons must be prepared for an increase in the Local Government Board Estimate. There was no Department of the Government whose officers were more hard worked than those of the Local Government Board at present. If the Committee thought it was desirable that this duty should be undertaken by the Local Government Board, it would not shrink from it; but the Board could not be expected to do the work without an increase of its staff.

MR. WOODALL (Hanley) said, he hoped the Government would accept the proposal.

MR. HENEAGE said, he trusted that the right hon. Gentleman would accept the Amendment.

SIR WALTER B. BARTTELOT said, that the other night they were discussing what powers should be transferred from the Local Government Board, and even from the Home Office, to the new County Councils. Now, it appeared, hon. Gentlemen wished to transfer back powers to the Local Government Board. [*Cries of* "No, no!"] At any rate, they wished to cast fresh duties upon the Local Government Board, which by this Bill they intended to get rid of. The counties were particularly anxious that decentralization should take place; and, if that was so, surely hon. Members did not wish to hand over to the Local Government Board that authority which they thought, in the interests of the country, they should be relieved of. He trusted the Government would not accept the Amendment.

MR. HENEAGE said, he would remind the Committee that this Amendment referred to disputes between the District and the County Councils, and the only question was whether those disputes should be settled by the costly method of arbitration or by the Local Government Board? What they were discussing the other night was the transference of the administrative functions

of the Local Government Board, which they thought would be discharged better by the County Councils.

MR. RITCHIE said, it was his intention, if the Committee accepted this proposal with reference to arbitrations, to propose the insertion of words later on by which the cost of these arbitrations would be very greatly reduced. What he intended to propose was the appointment by the Local Government Board of an arbitrator, under rules and regulations fixed by the Local Government Board. It would not be necessary they should have their own Inspector to do the work, but they might make rules which would prevent the great expense which undoubtedly did attend many of these arbitrations.

MR. HENRY H. FOWLER said, he begged to point out to the hon. and gallant Baronet (Sir Walter B. Barttelot) that the arbitration was to take place in cases of disputes between the District and County Councils; and, therefore, it was clear that the County Councils could not adjudicate in their own case. With reference to the appointment of an arbitrator by the Local Government Board, he imagined that the right hon. Gentleman did not suggest that the arbitrator should be under the Board's control. The right hon. Gentleman would merely appoint a professional man, and he would charge very highly indeed for his arbitration work. He (Mr. Henry H. Fowler) did not wish to see the Local Government Board's Estimate increased, yet he would sooner vote for the addition of one or two Inspectors rather than that the County Councils should be called upon to defray the costs of arbitrations.

MR. RITCHIE said, the Government would accept the Amendment.

COMMANDER BETHELL (York, E.R., Holderness) said, he hoped the Committee would not induce the right hon. Gentleman to accept the Amendment. He thought it would be very much to be regretted if the Local Government Board was going to have its finger in the pie more than it already had under the provisions of the Bill.

Question put, and *negatived.*

Question, "That the words proposed be there inserted," put, and *agreed to.*

SIR WALTER B. BARTTELOT, in moving the insertion of the three sub-sections which stood in his name, said, the first sub-section was very important, because, as he understood, his right hon. Friend was anxious that the County Councils should have more power than the Court of Quarter Sessions now possessed with regard to main roads; that they should be more liberal, if he might use the term, in accepting and taking over more main roads than had as yet been taken over as main roads. In many parts of the country there were certain parishes and certain districts which had no main roads at all, and yet they were called upon at the present moment to contribute largely to the maintenance of main roads in other districts. As he read the Bill, it was the intention of the Government that if the County Councils thought there was a road which ought to be made a main road, they should have the power to make it a main road. That being the case, he thought everyone would agree that the road should not be taken over and repaired by the County Council, or by the District Council, if the County Council delegated its powers to the District Council, until the road had been put in a proper state of repair. There might be one road in excellent repair and another road which had been absolutely neglected, and certainly the district in which the road was situated ought to be made to put the road in repair before it was taken over by the County Council. The next two sub-sections were to enable the County Council, in the event of the District Council failing to do its work, to compel the District Council to do the work, or to do the work themselves, and charge the District Council with the cost of doing it. He thought these sub-sections were absolutely necessary in the Bill; and, therefore, he begged to move their insertion.

Amendment proposed, in page 12, after line 33, to insert—

"(6.) Where a county authority order a road to become a main road, such order shall not take effect until the road has been placed in proper repair and condition to the satisfaction of the county council.

"(7.) If at any time the county council are satisfied, on the report of their surveyor or other person appointed by them for the purpose, that any portion of a main road, the maintenance and repair of which are undertaken by any district council, is not in proper repair and condition, the county council may cause notice to be given to such district council, requiring them to place the road in proper repair and

condition; and, if such notice is not complied with within a reasonable time, the county council may do everything that seems to them necessary to place the road in proper repair and condition, and the expenses of so doing shall be a debt of the said district council to the county council.

"(8.) If any difference arises under this section between a county council and a district council as to what is necessary for the maintenance of a road in a condition fit for the conveyance of the through traffic, or as to the refusal of the county council to make a payment under this section to the district council in respect of any undertaking or road, or as to any notice given to the district council by the county council to place a road in proper repair and condition, such difference shall, if either council so require, be referred to arbitration, in manner provided by this Act."—(*Sir Walter B. Barttelot.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, he was inclined to think that this was a very desirable Amendment. It was quite clear that if the county were to pay for the maintenance and repair, and had power to contract with the Local Authority for the repair and maintenance of roads, there ought to be some power by which they could see that the money they paid was properly laid out in maintaining the roads in a proper state of repair. He did not suppose anyone was prepared to take any exception to the proposal of his hon. and gallant Friend, which merely provided security that the roads should be kept in a proper state of repair.

MR. HENEAGE said, he would be glad to support the Amendment so far as the provisions of Sub-sections 6 and 7 were concerned; but he did not think they ought to have Sub-section 8. The County Council surely ought to be the judge of whether the roads were in such a state that they were prepared to take them over as main roads. It would be for the District Council to apply to have the roads taken over, and they must put them in a proper state before they were taken over. If they accepted Sub-section 8 arbitration would be again necessitated.

MR. RITCHIE said, that if the Committee were disposed to accept the principle of the Amendment, he had one or two small Amendments to suggest. In the first place, "County Authority" should be altered to "County Council;" and, in the second place, he would ask the Committee to strike out the words—

"As to what is necessary for the maintenance of a road in a condition fit for the conveyance of through traffic, or as to the refusal of the county council to make a payment under this section to the district council in respect of any undertaking or road, or as to any notice given to the district council by the county council to place a road in proper repair and condition,"

as the Committee had declined to accept an Amendment in the same sense.

An hon. MEMBER: And leave out "arbitration?"

MR. RITCHIE: And "arbitration."

MR. WOODALL asked, whether there were any means by which the District Councils or boroughs could be compelled to make certain thoroughfares main roads? Under the Act of 1878 there was an implied obligation that certain roads such as those leading to railway stations and directly communicating between two places should be constituted main roads. Did the right hon. Gentleman contemplate that there should be any sort of power given to enforce that obligation upon the Local Authorities?

MR. RITCHIE said, the matter was one which hardly came under the clause. So far as Quarter Sessions boroughs were concerned, in which the County Authority had no power of declaring thoroughfares to be main roads, a provision would be inserted in the Bill by which the County Authority would be called upon to make such declaration. But the Government had not made provision in the Bill by which the District Councils would be able to compel the County Councils to declare a road to be a main road. It would be within the power of the County Councils to do that, and he should think they would be prepared to do it.

MR. WOODALL said, it was obviously in the interest of the County Authority to avoid increasing its liabilities by constituting main roads; but perhaps the right hon. Gentleman would give the matter his consideration, seeing that he was taking such great care that the County Authorities should not make the main roads, except under the conditions which the right hon. Gentleman had set forth.

MR. HENRY H. FOWLER asked, whether it would not be well to follow this precedent in boroughs where streets were declared highways? There was no

arbitration or dispute in the matter; but the Local Authority had to decide whether the street was made to its satisfaction before it took it over. He thought that before the County Authority was called upon to take over a main road, such authority should be satisfied that the road was in a proper condition. The County Authority itself, it seemed to him, should be the judge in the matter.

MR. RITCHIE: The right hon. Gentleman means that that should be so, so far as Sub-section 8 is concerned?

MR. HENRY H. FOWLER: Yes; I would take that sub-section away altogether.

MR. BRUNNER said, the same rule obtained in the rural districts under the Rural Sanitary Authorities at the present time. The Rural Sanitary Authorities were not bound to accept a road, unless it was put in proper order before being handed over to them.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, that in Sub-section 6 it was provided that the County Council should be the authority over the roads, and that the roads should be made to their satisfaction; whereas Sub-section 8, as proposed by the hon. and gallant Baronet the Member for North-West Sussex (Sir Walter B. Barttelot), made provision for disputes arising between the County Councils and the District Councils as to what might be necessary for the maintenance of a road in a condition fit for the conveyance of the through traffic, or as to the refusal of the County Council to make a payment under the section to the District Council in respect of any undertaking or road, and the sub-section provided for the reference of such difficulty to arbitration. But this might be held to apply to what the County Council might have a right to require to be done before taking over a road, and therefore he thought it would be better to leave out Sub-section 8 altogether. He would, therefore, move its omission.

Amendment proposed, to the proposed Amendment, to leave out Sub-section 8.—(*Sir Richard Webster.*)

Question proposed, "That Sub-section 8 stand part of the proposed Amendment."

MR. STANSFELD said, that the substance of Sub-section 8 was practically contained in Sub-section 6, which was governed by Sub-section 7. Under Sub-section 6, the County Authority would determine whether it should order a road to be a main road; and, having satisfied itself upon the point and taken the road over, it would be bound to fulfil its obligations under the Highways and Locomotives Amendment Act of 1878.

SIR RICHARD WEBSTER said, it was because he considered that ambiguity would arise in interpreting Sub-section 8 that he moved its rejection. The County Council might say to the District Council or other authority—"We will not take over a certain road until you do something which we consider necessary for its maintenance in the future;" and under Sub-section 8 this might be supposed to amount to a dispute to be settled by arbitration.

MR. STANSFELD said, that in the event of any difficulty arising between a County Council and a District Council on a road becoming a main road, there would be a sufficient power already in the law to enable a settlement to be arrived at.

Question put, and *negatived.*

VISCOUNT EBRINGTON (Devon, Tavistock) asked whether the right hon. Gentleman the President of the Local Government Board would consider the advisability of giving the District Councils a *locus standi* on the question of getting thoroughfares made into main roads? It was necessary to make roads leading to railway stations main roads, and yet in some cases the County Councils might refuse to take them over.

MR. RITCHIE said, he had already stated that this question would be considered at a future stage.

SIR MATTHEW WHITE RIDLEY said, there were new powers given under Sub-section 2 of this clause now before the Committee. The County Council, for instance, was to have power to turn a highway into a main road, and to contribute to the repair of a main road within the jurisdiction of a District Council without taking the entire management of such road upon itself. Well, those powers were liable to abuse, and he should like to have some explanation

as to why County Councils were to have conferred upon them power not hitherto exercised by Quarter Sessions—power to contribute towards the maintenance of some highway in the county, while they did not take it over as a main road.

MR. RITCHIE said, that it had been reported to the Local Government Board that there were cases in which roads, though they were not main roads, were to some extent in the category of main roads, and in regard to which it would be advisable to give a County Authority power to make some contribution. He did not think the County Councils would be likely to abuse that power. There might be some cases where County Councils would hesitate to take over the whole responsibility for the maintenance of a road, and yet where they thought they might fairly contribute something towards their maintenance.

MR. BRUNNER said, he thought the County Councils might be trusted to do what was right in the matter. The next Amendment on the Paper was in his name—namely, in line 36 of the clause, after "highway," to insert the words "including any public footpath by the side of such highway." He had the authority of his hon. Friend the Member for the Radcliffe Division of Lancashire (Mr. Leake) to move the Amendment standing in his name—namely, after "highway," to insert "or public foot-path. He would move that Amendment, therefore, in preference to his own. He begged to point out that this was a permissive right to the County Council, and that, therefore, the objection would not apply which the right hon. Gentleman the President of the Local Government Board had urged with regard to the Amendment relating to public foot-paths already brought under his notice. It seemed to him a very great hardship that everywhere all over the country, that part of the road which belonged to foot-passengers should have been allowed to become not only less and less in area, but less and less fit for their use every year. He desired, in moving the Amendment, to obtain from the Committee an acknowledgment of the principle that the County Council, no less than the District Council, owed a duty to foot-passengers as well as to those who were wealthy enough to travel on wheels.

Amendment proposed, in page 12, line 36, after the word "highway," to insert the words "or public foot-path."—(*Mr. Brunner.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE said, that he saw a similar Amendment to this down in the name of several hon. Members, and having given this power in connection with roads that were not main roads, he did not see why they should not also give it in connection with main roads.

Question put, and *agreed to.*

MR. HENEAGE said, he now desired to move the Amendment standing in the name of his hon. Friend the Member for East Somerset (Mr. Hobhouse)—namely, in page 13, after line 8, to insert the following sub-section—

"Notwithstanding anything in the Highways and Locomotives (Amendment) Act, 1878, contained, county councils may at any time declare that any road now being or hereafter to become a main road has ceased to be a main road and has become an ordinary highway, and section sixteen of the said Act shall apply to such road accordingly."

MR. RITCHIE: We have already provided a discretion to the County Council.

MR. HENEAGE said, he was aware of that; but he wanted to do something more than they had yet decided upon. After the Act of 1878 became law, owing to a great deal of through traffic which used to pass on certain roads being diverted by railways, many old turnpikes were made main roads that ought never to have been made so. This had been done very often by the Local Government Board against the wish of the County Authorities, and in such cases as those he desired to give the County Councils authority—he wished them to be able to declare that certain roads should no longer be main roads. When the Highways Amendment Act came into operation in Lincolnshire, they appointed a very strong Committee indeed to examine into all the roads, and they sent in a carefully prepared scheme to the Local Government Board, saying which roads ought to be main roads and which ought not to be main roads. They only recommended that six miles of disturnpiked roads should be made main

roads, with the exception of some small pieces of thoroughfares near railway stations, but they agreed that many miles of other roads should be made main roads; but what was done by the Local Government Board? They sent down an Order, declaring that all disturnpiked roads should be made main roads, and did not take the slightest notice of any of the recommendations of the County Authority. The consequence was that in Lincolnshire they had 30 or 40 miles of main roads which had no right at all to be main roads, and that they had other roads which should have been made main roads but were not. He thought that by accepting the Amendment it would be found that they could decrease the main roads in Lincolnshire by one-half.

Amendment proposed,

In page 13, after line 8, to insert the following sub-section—"Notwithstanding anything in 'The Highways Locomotives (Amendment) Act, 1878,' contained, county councils may at any time declare that any road now being or hereafter to become a main road has ceased to be a main road and has become an ordinary highway, and section sixteen of the said Act shall apply to such road accordingly."—(*Mr. Heneage.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, the right hon. Gentleman probably had not seen that which had been brought to the notice of the hon. and learned Gentleman who was to have moved the Amendment. He referred to the decision in the Court of Queen's Bench, in which it was laid down that the power of deciding the point in question was clearly by Statute vested in the Local Government Board. Where Local Authorities desired to get rid of existing main roads they must apply to the Local Government Board.

MR. HENEAGE said, he was aware of that decision, and if he had known that his hon. and learned Friend the Member for East Somerset (Mr. Hobhouse) had not intended to move the Amendment, he (Mr. Heneage) should have himself put down a modified proposal on the Paper. This Amendment had been agreed to by the Lincolnshire Quarter Sessions, who desired that the County Councils should have the power to act in these matters without appealing to the Local Government Board. The Quarter Sessions thought the County Councils, who would be in possession of better information than the Government Department, would be the best judges of what should be done in the matter of deciding that certain roads should cease to be main roads.

Question put, and *negatived.*

MR. LAWSON (St. Pancras, W.) said, in the absence of the hon. and learned Member for Dundee (Mr. Firth), he begged to move the Amendment standing in that hon. and learned Member's name—to add to line 11, on page 13, "the provisions of this clause should not apply to the county of London." He did not know that the Amendment was absolutely necessary; but it was clear, for many reasons into which he would not enter, that the provisions should not apply to London, and therefore there could be no harm in putting the matter beyond dispute by specific words.

Amendment proposed, in page 13, line 11, add the words "the provisions of this clause shall not apply to the county of London."—(*Mr. Lawson.*)

Question proposed, "That those words be there added."

MR. RITCHIE said, he would point out that it would be much more convenient to discuss the point with regard to London when they came to the London Clauses.

Amendment, by leave, *withdrawn.*

COLONEL GUNTER (York, W.R., Barkston Ash) said, the next Amendment, which stood in his name, he moved in accordance with the resolution passed by the Quarter Sessions, having jurisdiction over the district to which he belonged. The Highways and Locomotives (Amendment) Act, 1878, gave certain powers in regard to local divisions in Lancashire called "hundreds." Well, in Yorkshire similar local divisions existed, but they were called "wapentakes," and as the Act only dealt specifically with "hundreds" it did not apply in the case of Yorkshire. They had therefore the anomaly that in one part of the country one system prevailed, while in a district immediately adjoining

and only separated by the county line, through the absence of one word in the section of an Act of Parliament, a different system prevailed. Considerable inconvenience was necessarily the result. They asked in Yorkshire to be put on the same footing as the adjoining county of Lancaster, and as he wished to have the same law applied to other counties where this anomaly existed, he had used the words "all counties," and the words "in any other district."

Amendment proposed,

In page 13, at end of sub-section (7) add—"Provided that, in construing that section, it shall be deemed to apply to all counties, and that 'hundred' shall include 'wapentake;' and any hundred or wapentake charged with the expense of the maintenance and repair of all the main roads situate therein shall be relieved from the cost of contributing to the maintenance and repair of any main road, or part thereof, situate in any other hundred, or in any other such district."—(*Colonel Gunter.*)

Question proposed, "That those words be there added."

SIR RICHARD WEBSTER said, he thought the hon. and gallant Gentleman would scarcely press the Amendment. He was not sure, in fact, that the hon. and gallant Gentleman knew what the effect of it would be. So far as he (Sir Richard Webster) understood it, the effect would be to break up the counties into small divisions, and give local jurisdiction to those small divisions of the county which really should be dealt with by the County Councils as a whole, a policy which would be adverse to the principle on which the Bill had been framed. He could not see any practical reason for picking out wapentakes and hundreds, and making them subject to a special provision apart from the county at large. Considerable trouble would arise if the latter part of the Amendment were put in force, whereby particular districts, in consideration of their maintaining and repairing their own main roads, should be relieved from the cost of contributing to the maintenance and repair of main roads in other districts.

SIR UGHTRED KAY-SHUTTLEWORTH said, that in Lancashire the county was broken up into hundreds, and the care of the main roads was vested in the authorities of each district. In the West Riding of Yorkshire the same system entirely prevailed, but the word "wapentake" was used in place of "hundred," and in consequence of that the Local Authorities there were unable to exercise the powers which the authorities of districts abutting upon their own were able to exercise. It would, perhaps, meet the hon. and gallant Gentleman's point, if an Amendment were inserted declaring that the word "hundred" should include "wapentake."

COLONEL GUNTER said, he would withdraw his Amendment in the hope that that Amendment would be inserted later on.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 16 (Power to County Councils to enforce provisions of Rivers Pollution Act, 1876).

MR. BRUNNER (Cheshire, Northwich) said, he would congratulate the right hon. Gentleman (Mr. Ritchie) on the progress he was making with the Bill; but it was a certain disadvantage to him (Mr. Brunner), as hon. Members who had a fuller knowledge of the subject with regard to which he was about to move an Amendment than he had himself were not in their places, presumably not having expected the Amendment to be reached. His first duty was to make it clear what his Amendment was. The first Amendment standing in his name was in line 15, to leave out the words "so much." The second and third Amendments were consequential. His desire was this—that instead of making it the duty of each County Council to protect against pollution so much of a river as bordered on or ran through the territory over which it had jurisdiction, to provide that each river in the country should be under the protection of a joint committee, consisting of or elected by all the County Councils of the districts through which that river ran. This matter of the pollution of rivers was a very important one. It was a matter upon which the prosperity of the country, and in a large measure the food of the people of the country, depended, as well as the amenities of life throughout the rural districts. Now, this matter of the protection of rivers from pollution ought to be in the hands of a powerful body. The right hon. Gentleman the President of the Local Government Board would, he be-

lieved, acknowledge that the Act passed a few years ago with the very best intentions had remained practically a dead letter, and he was convinced that it was a dead letter mainly on account of incompetency of the Bodies in whose hands the working of the Act was left. It was no disgrace to any Local Authority to be inefficient in this matter, for the protection of a river from pollution, if it were to be dealt with wisely and well, required a very high degree of scientific knowledge, and it was absolutely impossible that the Local Authorities in a county should be able to employ men of the requisite scientific attainments. His proposal would provide not only for a Body large enough and important enough to secure for themselves the necessary scientific advice, but it would provide for the reconciling of all the interests which were concerned in each river. It was a very frequent thing that a river would go through a mining district to begin with, it would then run through a manufacturing district, and then again run into an agricultural district. Now, if they left the protection of the river—say, the upper portion—in the hands of the County Council, the probability was that there would be on that Council a majority of men interested in mining, and such a Council would be especially careful of the interests of mining, rather than of those of the river. Then, if they went to the district where the County Council represented the manufacturing interest, they would have a majority rather concerned in the protection of manufactures than in the protection of the river; and if they went further, they would find the river in the hands of a Council entirely of one opinion—that was to say, all interested in the preservation of the purity of the river, because the pollution of a river never did good, but always considerable harm, to agriculturists. What he proposed was that the men representing the mining interest, the manufacturing interest, and the agricultural interest should meet together and should act in such a way as not to destroy each other's interest. He wished to point out to the right hon. Gentleman the President of the Local Government Board, that such a Body as this would never act except reasonably, and when it did act it would act with great power. He himself, though a manufacturer, was happily not a pollutor of rivers, and he was desirous that the Rivers Pollution Act of 1876 should no longer remain a dead letter. He was anxious that the rivers should be protected, but he was no less anxious that rivers should be protected without doing injury to the important industries of the country. What was the ordinary course of affairs under the present Act? The rule was that the Sanitary Authorities cared nothing for the pollution of a river until the nuisance became intolerable. When a nuisance became intolerable it was a very frequent thing for the Local Authority to attack a manufacturer, close his works, and ruin his business, and in cases where they had taken such a course, if one went to the river again a few years afterwards, one would find, as a rule, that not one pennyworth of good had been done by this violent action. Now, rather than an immense amount of money should be spent from time to time in legal proceedings, and that great injury should be done to a manufacturer and to the country through the destruction of industries now and then, he thought it would be well to have the management of the whole of each river in the hands of a joint Body, such as he had described, who would always agree to act reasonably, but with the necessary amount of force. He trusted he should carry the Committee with him in this matter. He did not wish to take up any more time than was necessary, and he would therefore content himself with pointing out to the right hon. Gentleman the President of the Local Government Board this one further advantage of the adoption of the Amendment he proposed—namely, that when once they were accustomed to look upon a river as an entity from one end to the other, they would begin to take care of it, not only in the matter of the prevention of pollution, but also in the prevention of floods. He felt convinced that if the Amendment were adopted and the Body he proposed had been in operation a very few months, whenever a flood took place the fact that it was coming would be announced from the upper reaches to the manufacturing and other districts 12 hours beforehand, so that the farmers would be able to get their hay out of the way, the cottagers might block their doorways, and the

Mr. Brunner

manufacturers might make their factories secure. By the adoption of his Amendment they would find that the rivers would be cared for in every particular, and that the country would be enormously the gainer. He begged to move the Amendment.

Amendment proposed, in page 13, line 15, to leave out the words, "so much."—(*Mr. Brunner.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. BRADLAUGH (Northampton) said, he was not at all sure that the Amendment the hon. Member had moved would meet the idea he had put forward; on the contrary, he was inclined to think that it would do something to make matters still worse. His (Mr. Bradlaugh's) objection—which, perhaps, he might raise on that Amendment—was to the clause itself as it stood. They had clear evidence before them that the Rivers Pollution Act of 1876 up to the present time had utterly failed, and that it had failed because in many cases the persons who were the offenders were at the same time the persons who had to administer punishment; it was their duty to punish themselves for their own offences, and naturally they did not do so. Well, he did not see how the Amendment of his hon. Friend was going to meet the difficulty. He did not know whether he should trouble the House with evidence on this point; but there was, at any rate, plenty of evidence very briefly stated and explained in the admirable Report of Mr. Fletcher on River Pollution. Mr. Fletcher gave a number of cases, and his view was clear in his Report to the effect that the power ought to be taken from the Local Bodies and put into the hands of the Local Government Board, through its special Inspectors—namely, the power to enforce against these people that which they would not enforce of themselves. It might be said that they were going to have a higher sense of morality upon the new Local Bodies; but to his mind the question was one of extreme difficulty. There would be a clashing of interests between the different Local Authorities, which clashing of interests had already been found to exist, as Mr. Fletcher stated in his Report. The Act had entirely failed on account of this clashing of interests, and the river pollution question was becoming of more and more importance every day. They had now in our large centres of population a menace of evil which was constantly growing, because of the want of care of the water supply, which was necessary for the people to drink. He thought it desirable to say that on the present clause. He did not know whether the Government would say that under the new authorities to be constituted by the Bill something more would be done to deal with this matter than had been done in the past. He (Mr. Bradlaugh), at any rate, could not support the Amendment, as it seemed to him that it would only aggravate the existing evil.

SIR LYON PLAYFAIR (Leeds, S.) said, if the hon. Gentleman who had just spoken had considered what would be the effect of the Amendment if passed, he would have supported it rather than have opposed it. It was quite right to say that the Rivers Pollution Act had failed on account of local interests, and on account of small areas; but the object the hon. Gentleman (Mr. Brunner) had in view in proposing this Amendment was to enlarge the administration of the river into a drainage area, and thereby to overcome the local interests that defeated the present Act. The larger they could make their drainage area, and make a combination of interests through a joint committee, the better would they be able to prevent river pollution. They had successfully combated with the fouling of air in various districts, by entrusting the Local Government Board with power to put a stop to the pollution of air by emanations from factories. Well, the principle of this Bill was to take away certain powers from the Local Government Board, and give them to the Local Authorities; but the more they cut up the drainage area and gave jurisdiction to different authorities through which rivers passed, the more completely would they prevent the efficient action of the Rivers Pollution Act. He, therefore, quite sympathized with the hon. Member who proposed the Amendment to get a committee of all the interests in the drainage area to act, because he believed that in that way they would have a much better chance of preventing the pollution of rivers. It was nothing short of a disgrace to the country that

we should be so far behind in preventing river pollution. As he had said, we had grappled with the pollution of air, and we ought now to grapple with the pollution of water. Very long ago, ages ago, long before the history of this country commenced, some countries were in the habit of taking measures for the prevention of the pollution of rivers, seeing the importance of such action much more clearly than we seemed to do. In Egypt the Nile was thus protected in ancient times, and he had always felt that Moses made a mistake in not carrying away with him one of the Commandments of the Egyptians, that they should not pollute rivers. Unfortunately, Moses did not add that to the Ten Commandments, and the result was that all rivers had ever since been polluted. This question was of great importance to the agricultural community, and he thought that if the power of preventing the pollution of rivers were taken away from the Central Authority, the more urgent it was to conbine Local Authorities throughout a drainage area, which might include several counties, and to make them responsible for the prrity of the common streams.

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER) (Isle of Wight) said, he hoped the Committee would not adopt the Amendment. He wished to point out to the hon. Member who had moved it that the excellent object he had in view, and to further which he would establish joint committees, could already be attained by the provisions of the Bill as it stood. There was nothing to present one or two, or, in fact, any number of counties, coming together and forming a joint committee. He was acquainted with the Report of Mr. Fletcher, which stated that the Rivers Pollution Act had failed in many respects; but still there were other cases in which that Act had been of considerable use, and he thought it was desirable that they should avail themselves of any steps which could be taken to prevent the pollution of rivers. He agreed that when they were dealing with this question of drainage, floods, or with the river as a whole, it might not only be desirable, but necessary, that the matter should be taken in hand by a joint committee of the County Councils, who would deal with the whole drainage area. But they had also to deal with large and substantial local pollutions. There had been many cases where there had been very serious local pollutions, and it seemed to him that it would weaken the power of the County Council if, in the case of a sudden and serious pollution in their portion of the river, they should possess no power of dealing with it until they had assembled together a committee from the other portions of the river who had no interest in the matter. The County Councils would not be able to act by means of a joint committee. By all means let the hon. Member (Mr. Brunner) put down an Amendment, if he chose, to enable large joint Bodies to deal with pollutions which required the interference of all districts through which the river ran; but he (Sir Richard Webster) could not see why a particular County Council should not have power to prevent pollution in that portion of the river which ran through its own jurisdiction. When the Committee remembered that the clause said that—

> "A county council should have power, in addition to any other authority, to enforce the provisions of the Rivers Pollution Prevention Act, 1876, (subject to the restrictions in that Act contained) in relation to so much of any stream as is situated within, or passes through or by, any part of their county, and for that purpose they shall have the same powers and duties as if they were a sanitary authority within the meaning of that Act,"

they would be at a loss to see what reason there was for preventing a County Council which might be anxious to do this work from taking it in hand. He quite agreed with the observation—he had already said so—that something should be done to see that the provisions of the Rivers Pollution Act were better observed; but it would not, in his opinion, be a step in that direction to try to prevent the County Councils from discharging this function over that part of the river over which they had jurisdiction. Though he believed that something should be done to prevent the pollution of the water supply, he did not think it would be desirable to accept this Amendment.

MR. BRUNNER begged to point out to the hon. and learned Gentleman that the Local Authorities were very frequently not to blame if they did not interfere with the pollution of a river, and for this reason—that when a pol-

lution took place within their jurisdiction it very frequently did no harm there, and nobody grumbled. The pollution did harm, and was felt as a very severe loss, not in the district where it occurred, but far below. It was just for the reason that, where the pollution was caused, it was not felt as a nuisance, and that it was caused by people who would have a majority on the County Council, within whose jurisdiction the mischief was caused; it was just for that reason that he wanted the County Councils to join together for the purpose of protecting each river from source to sea. He was a manufacturer himself, and had been amongst manufacturers all his life, and had had this question before his eyes for a great many years. He knew exactly where the shoe pinched, and he could assure the Committee, from experience, that it would do right to follow him, and not the hon. and learned Gentleman.

MR. AMBROSE (Middlesex, Harrow) said, he would point out that the hon. and learned Gentleman the Attorney General had misapprehended the effect of the Amendment. Instead of weakening the hands of the County Council, he took it that the effect of striking out these words would be to enlarge the power of County Councils generally, although it would restrict the power of each County Council individually in the matter of the prevention of river pollution in its own district. He held that if any pollution took place in a portion of the river passing through a district under the jurisdiction of the County Council, that that County Council should have the same power of taking action as that possessed by the riparian owner. The riparian owner was able to take action against anyone fouling the stream, though that fouling took place above his land. If they struck out these words, then a County Council suffering from the fouling of the river in another county would be able to take action under this particular clause; therefore, it seemed to him that instead of narrowing it would enlarge the power of those Councils.

SIR LYON PLAYFAIR said, the hon. Member (Mr. Brunner) had in his Amendment an important provision which would remove the objection of the hon. and learned Gentleman the Attorney General. Would the hon. and learned Gentleman the Attorney General look at the further Amendment of the hon. Member on the following page—namely, to insert at the end of line 21 the following words:—

"And in every case where a stream passes through or by more than one county, the Local Government Board shall direct the council of every county through or by which such stream passes, to join in appointing out of their respective bodies a joint committee, which shall, in relation to the whole of such stream, have all the powers and duties by this section granted to a county council."

That Amendment described the way in which the proposal would work, and did not take away the power of the County Council, but only added to it. He would ask the attention of the right hon. Gentleman the President of the Local Government Board to what would happen now. They were taking out of the counties a considerable number of large boroughs through which a river passed. The County Councils would not be able to go into these large boroughs and say—"This stream has been fouled within your jurisdiction, and we must take action upon it, to prevent a continuance of the evil," because the borough would have become a county in itself. Therefore, if the Committee wished to make the measure when it became an Act of Parliament an efficient one for the prevention of river pollution, they must form an authority larger than a single County Council, and including, in fact, the drainage area, which would enable them to go into the boroughs and the counties, and to have all the interests combined in order to put a river into a state of purity.

SIR WALTER B. BARTTELOT (Sussex, N.W.) said, he merely wished to say one word as to this question, because this was really as important a clause as they could have in the Bill. It was notorious that all over England our rivers and streams were polluted, and that this river pollution might be prevented if proper means were taken. He held that the Bill was the measure on which these means might be taken; but he ventured to think that these means were not at present contained in the clause. He did not see how, under the clause, one County Council would have power to deal with another County Council which refused to do its duty in regard to that portion of the river passing through their district; and what he

was anxious to see was that some power should be given by which the pollution of a river could be prevented from its source to its outfall. Unless they had some better means of action than that which was proposed by the clause, they would never be able to put an end to river pollution. He knew how much the health of the country depended upon a good water supply; therefore, he thought the right hon. Gentleman the President of the Local Government Board would do well if he strengthened this clause in the manner suggested on Report. With the legal advice his right hon. Friend was able to get, he, no doubt, would be able to put words in the Bill to effect all they desired.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE) (Tower Hamlets, St. George's) said, the Government desired by means of the clause to provide a remedy for some of the evils which were admitted to exist with regard to river pollution. It had been pointed out by the hon. Member for Northampton (Mr. Bradlaugh) that the offender at present was the very authority for putting the Act in force, and that, naturally, on the part of this authority there was a pardonable reluctance to do so. That being so, the Government were desirous of taking advantage of the larger area and authority they were setting up in the Bill to provide a means by which a remedy might be found in places where the fault lay with the Sanitary Authority itself. Under the power which would be conferred by the Bill, the boroughs would be still charged with the duty of preventing the pollution of rivers; but if they did not perform their duties, the Bill would enable the County Councils to intervene. It was also provided that where a stream was in more than one county a joint committee should be formed for the purpose of taking any action. The only difference between the Government and the hon. Gentleman who moved the Amendment was this—the Government thought they could fairly rely upon the authority drawn from so large an area as a county to do its duty under this provision; and, on the other hand, hon. Gentlemen who supported the Amendment thought they could not rely upon the County Council, though it were returned from a large area, and though it might be charged with many very important duties, and though they were in hopes of being able to secure an authority powerful enough to put in force the Acts of Parliament with the administration of which these Councils were to be charged. The Government were still of opinion that the County Authority would do its duty in this respect. It seemed to him (Mr. Ritchie) that by adopting the Amendment, and the other Amendments on the Paper by the hon. Member, it would be made impossible, or practically impossible, for one County Authority to act with regard to streams which did not come wholly within its own area—that if a stream passed through three or four counties, it would be impossible for any one county to act by itself for the purpose of preventing pollution within its own area. He understood that was not the view of the hon. Gentleman, and it might be that he (Mr. Ritchie) was mistaken; but, at any rate, it seemed to him that the discussion which had taken place indicated that a much larger provision than that advocated by the Government should be adopted. He would, therefore, recommend the Committee to adopt the suggestion which had been thrown out—namely, that they should let the clause stand as it was, with the view of enabling the Government, with the light which had been thrown upon the whole matter, to consider whether they could insert some words which would make the clause a more effective one.

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe) said, he rose to press upon the right hon. Gentleman the President of the Local Government Board the point mentioned just now by the right hon. Gentleman the Member for Leeds (Sir Lyon Playfair), which the right hon. Gentleman had not noticed. He (Sir Ughtred Kay-Shuttleworth) did not wish to ask the right hon. Gentleman to enlarge the Bill beyond what its original drafting would have accomplished; but he wanted to impress upon him the condition of that part of Lancashire with which he (Sir Ughtred Kay-Shuttleworth) was best acquainted—namely, that part drained by the Ribble and its tributaries. That river was polluted by about five districts. As the Bill originally stood, those districts would have been dealt with by the

County Council; but the Amendment making Burnley and Blackburn into counties of boroughs had removed two of those districts. The County Councils of Burnley and Blackburn would be supreme in their own districts, and there would be no power for the County Council having jurisdiction over the other three districts to come in and deal with the tributaries of the Ribble as they passed through Blackburn and Burnley. In that way the County Council might find itself powerless to prevent pollutions originating in the districts of Blackburn and Burnley, and injuring the important districts of the county below those towns. He hoped the right hon. Gentleman would given some attention to the matter, in order to prevent any difficulty arising in this respect.

SIR RICHARD WEBSTER said, he thought the right hon. Gentleman the President of the Local Government Board had pointed out that the Government did not desire to cut down the powers of the County Councils, but that what was desired was to supplement their powers by a more powerful and more representative Body. If the hon. Member (Mr. Brunner) would withdraw his Amendment, the Government would undertake to bring forward an Amendment to carry out the hon. Gentleman's views in line 21. It would be necessary to alter the clause that dealt with rivers passing not only through one county into another, but through a borough and a part of a county. The subject having now been debated at some length, and fairly well understood, it would be well for the hon. Member to withdraw the Amendment, for, either now or on the Report stage, the Government would add to the clause words to enable a joint authority to be constituted consisting of representatives of the Local Authorities, which would best enable the points last referred to to be dealt with.

MR. STANSFELD (Halifax) said, he thought that to carry out the object of the hon. Member for the Northwich Division of Cheshire (Mr. Brunner) a little more would obviously be necessary than the Amendment proposed; therefore he trusted the hon. Member would accept the suggestion of the Government, and withdraw his Amendment.

MR. BAUMANN (Camberwell, Peckham) said, that neither the right hon. Gentleman the President of the Local Government Board nor the hon. and learned Gentleman the Attorney General seemed to have remembered that by the clause, as it stood, the River Thames outside the Metropolis would be absolutely unaffected, and would remain, as now, under the exclusive jurisdiction of the Thames Conservancy Board. The clause, as it now stood, was subject to the regulations of the Rivers Pollution Prevention Act, 1876, in which there was a clause saving the powers of the Thames Conservancy Board. Now, the Thames Conservancy Board was a very bad authority indeed for the protection of the Thames——

SIR RICHARD WEBSTER wished to point out to the hon. Member that the saving powers to the Thames Conservancy Board did not prevent the operation of the Rivers Pollution Act. It was necessary to insert the saving clause, in order that the Conservancy Board might retain the powers they already possessed; but these powers did not override the powers of the Act.

MR. BAUMANN said, that the Thames Conservancy Board was the authority for carrying out the provisions of the Act. He knew that that was the case in connection with the complaints made not long ago as to the pollution of the river by house boats, and the difficulties created by steam launches. It seemed to him that the powers in the case of the Thames should be in the hands of the County Councils of the districts through which the river passed, and should be taken out of the hands of the Conservancy Board. He trusted that the Government, after they had considered this point, if they thought he was right, would on the Report stage introduce such words as would carry out his suggestion.

MR. BRADLAUGH said, that if it was understood that the Government intended to give to the County Councils full control of the streams so far as they exercised jurisdiction over the districts through which they passed, and in addition to create another authority, as anticipated by the hon. Gentleman who moved the Amendment, then he thought it would be well to leave the matter over till the Report stage, because he thought it would be impossible to agree to the form of words to be adopted now. He was of opinion that the Amendment

moved by the hon. Gentleman would deprive the County Councils of the necessary authority for dealing with this subject, rather than the reverse.

MR. RITCHIE said, the hon. Gentleman had stated correctly what the Government proposed to do. Their proposal was that they should be allowed to take the clause as it stood, in order to amend it at a later stage.

MR. PICTON (Leicester) said, he would ask whether the words in the clause "in addition to any other authority" preserved the authority of the County Council? Did the proposal mean that the authority should be exercised under the clause in addition to that exercised by the Sanitary Authority as it already existed? Supposing the Amendment of the hon. Member were inserted, several County Councils, "in addition to any other authority," would have power to enforce the Rivers Pollution Prevention Act in case of emergency.

THE CHAIRMAN: Does the hon. Member withdraw his Amendment?

MR. BRUNNER: Yes.

Amendment, by leave, *withdrawn.*

MR. STANLEY LEIGHTON (Shropshire, Oswestry) said, there was likely to be a conflict of opinion between the authorities constituted under the Bill, and the existing Town Councils or Local Boards. There were towns which had Sanitary Authorities, through which rivers passed; and as the County Council would have jurisdiction over such rivers, some Amendment, he thought, should be inserted, in order to prevent the conflicts certain to arise when two authorities exercised similar jurisdictions within the same area.

MR. BRUNNER said, the Chairman had been a little too quick for him—as, indeed, he was too quick for most people. He just wished to ask this question, whether the right hon. Gentleman the President of the Local Government Board was to be taken as assuring him that the County Councils would include the Councils of boroughs?

MR. RITCHIE: We will take care that that is so.

Clause *agreed to.*

Clause 17 (Power of county council to make bye-laws).

MR. HENEAGE: Will the right hon. Gentleman the President of the Local Government Board have the clauses already passed reprinted as amended?

MR. RITCHIE: They have been reprinted.

Committee report Progress; to sit again upon *Tuesday* 3rd July, at Two of the clock.

MOTION.

LEGITIM LAW AMENDMENT (SCOTLAND) BILL.

On Motion of Mr. Donald Crawford, Bill to amend the Law of Legitim in Scotland, *ordered* to be brought in by Mr. Donald Crawford, Mr. John Balfour, and Mr. Buchanan.

Bill *presented*, and read the first time. [Bill 311.]

It being ten minutes to Seven of the clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

WAYS AND MEANS.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

AGRICULTURAL TENANTRY (WALES).

RESOLUTION.

MR. T. E. ELLIS (Merionethshire) said, he should endeavour to be moderate and circumspect and well within the mark in any statement and in any considerations he might urge upon the House. Anyone making a Motion with regard to Wales, and especially with regard to agriculture in Wales, was immediately met by the deplorable want of Parliamentary information on the subject. When he looked at the Diplomatic and Consular Reports on the state of trade and agriculture of the small countries of Europe, and even those of the South American Republics, he felt envious that those countries should have so great a share of attention on the part of the House, while a country not far distant should have so very little attention paid to her in respect of her social condition and agriculture. In

1879 an important Royal Commission was appointed to inquire into the depressed state of agriculture, with regard to which he had to make some general remarks. In the first place, not a single Welshman, or anyone connected with Wales, was appointed upon the Commission, and, as a natural corollary, very few Welshmen were examined before the Commission. For all the counties of South Wales, the only one examined was an extensive land agent; while, for North Wales, the only person examined was Lord Penrhyn, who was much respected, but who was a large landowner, who lived as much apart from the ordinary tenants of Wales as the Olympian gods. The Commission, in their wisdom, appointed a gentleman who for many years had been a Poor Law Inspector to be Assistant Commissioner for Wales; he knew no Welsh; he was an absolute stranger to the Welsh farmers, and instead of examining them and collecting information from them, he sent a number of very carefully prepared inquiries to Poor Law clerks. That was a natural expedient for him to obtain information, but one would have imagined that this gentleman would have taken more care, and have gone, not to the Poor Law clerks, but to the farmers themselves. Now, his Report was practically the sum total of the Parliamentary information upon the state of agriculture in Wales which they possessed. In his Motion he referred at the outset to the special circumstances of Wales, and he saw on the Paper of that morning that the hon. and gallant Member for West Denbigh (Colonel Cornwallis West) had put down an Amendment which practically challenged the first part of his Motion. The hon. and gallant Member asked the House to deny that there were any special circumstances existing in land tenure in Wales. He (Mr. T. E. Ellis) wished to appeal, first of all, to the Report of the Assistant Commissioner with regard to the difference between English and Welsh agriculture. Mr. Doyle, the gentleman to whom he referred, was Assistant Commissioner not only for the 12 Welsh counties but for eight English counties, and he reported that the eight English and the 12 Welsh counties comprised in his district exhibited greater variety and more marked contrast in the distribution of land, as well as in respect of inhabitants and the character of agriculture, the condition as well as the habits of the rural population, than would be found within the same limits in any other portion of the United Kingdom. So much for his statement. He now came to the special circumstances over and above this distribution of land as between England and Wales. The first circumstance arose from the special charm and delight of the land of Wales itself; for instance, the Welsh tenant had an attachment to the soil which he cultivated, and to the religious and social community in which he lived, which could not, he ventured to say, be found in any part of England. Lord Penrhyn, although he did not know much about the small hillside tenants of Wales, was examined before the Commission, and being asked if there was in Wales what was called hereditary tenantry, he replied that there was a great feeling about that, they liked to succeed their fathers and grandfathers on their farms. If any further testimony were necessary, he might quote the statement made last year by a large Conservative landowner of Cardiganshire, who said that "landlords in Wales were able to secure a higher rent, because Welshmen loved the soil on which they were brought up, and because the tenants were not true to one another; if there was a farm about to become vacant there were a dozen people applying for it—they would not give the sitting tenant a chance of making terms with the landlord." Their contention was that the land system, as it existed in Wales at present, enabled the mean and self-seeking to profit at the expense of the industrious and bravely struggling tenant. But not merely did this land-hunger affect the tenantry, it affected purchase. Gentlemen who had made fortunes in large English cities desired to find not merely land and luxuries of ownership, but they wanted to get rest, scenery, and a magistracy and county status. Now, there was no place where they could get those things so easily as in Wales. A Nonconformist might be the leader in his neighbourhood for 50 years; he might be respected and beloved by the community, but he had very little, if any, chance of a magistracy during the whole of his life; but suppose some stranger—some Churchman, or a gentleman of particular political opinions—went to

Wales and bought a small estate, he had not to wait many years before he was put on the Magisterial Bench to dispense justice to Welsh speaking people. Those gentlemen bid against the tenant, who himself was so attached to the soil that he was ready to offer what often appeared a foolish price for his holding, first of all in order that he might keep his home, and further, that he might secure the fruits of his improvements and industry. Now, those gentlemen came over with fortunes, they bought land over the head of the cultivator at a fancy price, and then they turned round and applied commercial principles, saying they had paid a certain amount for the land, and must get so much per cent for the outlay. Anyone who knew Wales even superficially must be aware that this statement was well within the mark. Mr. Doyle, in his official Report, stated that in Montgomeryshire demands had been made to raise the rents to pay a fair percentage upon the purchase money. This competition for land was a circumstance special to Wales, was specially adverse to the interest of the tiller of the soil, and placed him at the mercy of the landlord. But this was aggravated by another circumstance, the chasm or social gulf which existed between the landlords and the occupying tenants. He would not dwell upon that point, but merely refer to three great questions which divided the bulk of the landlords of Wales from the bulk of the occupiers. Wherever one went in Wales—except on the borders of Montgomeryshire, Radnorshire, and parts of Brecknockshire—it would be found that the cultivator and his family were Welsh speaking, and that his religious services and social communications were carried on in the Welsh language. On the other hand, with the rarest exceptions, the landlord was ignorant of the language of his tenants. That would naturally create a certain amount of estrangement and a chasm between the landlord and the tenant; but it was further aggravated by the fact that at a critical period in their religious and national history the end of the last century, most of the Welsh people built up a religious system of their own, and were separated entirely and completely from the landowners of Wales, who remained attached to the Anglican ecclesiastical system. The division, however, did not stop there; for in the course of the present century not merely had there been a religious divorce, but as complete a political divorce between the landlords and the cultivators. He was glad to see present many of his Colleagues from Wales who were large landowners; but he thought if each one of them were to give an impartial experience of Welsh landlords at election times he would say that 19 out of 20, if not 99 out of 100, were bitterly hostile to the popular cause. It was not without significance that every County Member for Wales, with the exception of the hon. Member for Radnorshire (Mr. Walsh), sat on that side of the House, and they were there not alone, because they were pledged on some burning question in regard to Wales, but also because there had lately been a gradual but sure and inevitable revolt against the land system of Wales as at present administered. What, then, had been the results of this difference between the landlords and tenants in Wales? He thought there had been two results—first, a want of sympathy between the landlord and tenant, and, secondly, a deplorable want of information and knowledge on the part of the landlord as to the conditions and circumstances of the cultivator of the soil. Not only was there a want of sympathy, but in too many cases the landowner employed his position and his monopoly of the land in order to punish the cultivator on account of his creed. He (Mr. T. E. Ellis) did not want to refer at great length to that point, but if any one in that House conversed with the ordinary tenants of Wales with regard to their past electioneering experiences, he would find that the three General Elections of the years 1859, 1865, and 1868 were not merely well known, but that the memory of the evictions which took place after those elections had burnt itself indelibly into the hearts and consciences of the people, and many a day would have to pass over Wales before the memories of those evictions passed away. It might be said that the passing of the Ballot Act of 1870 had alleviated that condition of things. He did not suppose that there were any people within the four countries that were more thankful for that great Act than the Welsh people, because it had enabled them to exercise their right of suffrage

with something like liberty. But even at the present day this want of sympathy between the landlord and tenant worked very disastrously to the social welfare of Wales; for in many parts there was among a certain number of the landowners a set purpose to make it difficult and impossible for Nonconformists or Liberals to obtain farms. This led to the creation of a class of sycophants and spies, the most abominable that infested God's earth, who were ready to watch for the political and religious action of a Nonconformist and Liberal tenant, and not only that, but to oust him from his place and get his farm, because they were ready to take up the political and religious view of the landlords. This feeling was strong in Wales, but he thought that the landlords were beginning to find out that the Churchman and persons of certain politicial opinions were not always able to pay the rent to the very day. Even during that week there had been a somewhat ludicrous illustration of the tension between the landlords and tenants in Wales. In one of the newspapers published in Wales the following circular appeared that week. How far it had obtained the sanction of any landowner, and how far it would be repudiated by landowners, he did not know, but it was interesting as mirroring the circumstances of the time. The circular was addressed to the clergy, landowners, and tenants, and was to the effect that the Church and all landed property was so seriously attacked, and the spirit of socialism was so rapidly spreading in Wales, that it was becoming necessary for the clergy and the wealthy to know who were their true friends, and to act accordingly; that landowners in particular should be on their guard as to the persons to whom they might let their land, and should ascertain whether candidates for their farms were the friends of order and justice, or of anarchy and confiscation. The circular went on to say that, at the urgent request of certain persons of influence, a Conservative registry had been opened as a medium of communication between the landowners wanting tenants and tenants wanting farms, and that with the view of carrying out the scheme, Incumbents were requested to inform the writer of any farms vacant or about to become vacant in their parishes, and so on. He quoted this in order that it might serve as a salutary warning to the class of informers he had referred to. He regretted also to have to refer to the fact that during the last few weeks and months in which there had been considerable, if not fierce, agitation in Wales, tenants had been receiving notices to quit because they had taken a certain line with regard to the tithe question. It seemed to him that the very essence of the land system in England was that there should be a thoroughly good understanding and strong sympathy between the landlord and the tenant. The hon. Member for the Bodmin Division of Cornwall (Mr. Courtney) had written a paper lately in one of the monthly reviews upon the subject of occupation of land, in which he referred to the extreme value of the leasehold system existing in Scotland at the present time; but he said that when leases did not prevail there was not unfrequently in the South of England a person who might be called a sort of providential landlord, animated with much the same taste, having the same feelings, and looking forward to the same objects as the persons who farmed under him. It was perfectly clear that such a community did not exist in Wales as the hon. Gentleman said existed in the South of England and in Scotland. But not merely did the state of things in Wales affect the sympathy which ought to be between landlord and tenant, but it led to the want of information on the part of the landlord as to the actual condition and circumstances of his tenants. Many landowners in Wales regarded the payment of rent as the only test of the prosperity of their tenants. Lord Penrhyn was asked before the Commission whether anything like indebtedness had crept in amongst the tenants; and his Lordship replied that he did not know, that they had all paid their rents, and that he had never heard of any complaint of the kind. As if the august and secluded occupant of Penrhyn Castle could hear the complaints of Welsh-speaking tenants on the remote hillsides. But what were the replies which Mr. Doyle obtained from the Poor Law clerks in Carnarvonshire, where Lord Penrhyn was the largest landlord? In reply to the question whether rents were regularly paid, the clerk of one Union re-

plied that they were paid, but that many of the tenants borrowed from bankers and friends to pay the rent, and that no abatement or reduction had been made. The reply came from Anglesea that the tenants had paid the rents, but had been considerably assisted by bankers and corn merchants. Another reply was that it was believed that the tenants had paid, although several had borrowed money to pay their rents. One answer from Breconshire was that the tenants were heavily in arrear, that abatements were sometimes made, but not to the extent to which they had been made in other parts of the country. The report from another Union was that rents had been paid regularly, but that bills of sale had been on the increase. Now, those reports were made in 1881, at the time when Mr. Doyle reported that the depression in England was most serious, but that it was not so serious in Wales. It was the last four or five years that had been absolutely ruinous to the farmers in Wales; and if that were true at the date referred to, how much more true was it at the present time? How did this want of knowledge on the part of landowners affect the tenants? In the first place, the landlords would not realize to what a serious pass the tenants had come; they had been deceived by the great competition for small hill-side farms, which were very numerous in Wales; and, whilst the competition for them had been intensified, the standard of rental of good land was made to apply to the land on the rugged hill-side. He thought that had it not been for two facts the crash would have come three or four years ago. This had been averted, first, because the holdings in Wales were very small, so that when a large number of tenants had become bankrupt and were sold up, a number of labourers who had saved money were able for a time to take their places, many of them soon collapsing. The second cause which had averted the crash was that Welsh tenants were proverbially thrifty and industrious. Mr. Doyle said that the Welsh farmer, to whatever class he might belong, was more thrifty than an English farmer in a corresponding position, and that the farmer in Wales fared worse than the English labourer in receipt of average wage. From the figures published by the Inland Revenue Commissioners a few years ago, a very instructive comparison was to be made with regard to the rise of rents between the years 1842 and 1879. He found from that Report that rents in England rose during that period 23·5 per cent as against 34·6 in Wales; and yet the reduction and abatement of rent in Wales was incomparably lower than it had been in England, although the fall in prices in Wales had been quite as serious and quite as ruinous as it had been in England. Cattle had fallen in the last four years from 33 to 50 per cent, sheep 33 per cent, horses 30 to 50 per cent, butter 36 per cent, corn 30 per cent, and wool 60 per cent; yet up to last year the average reduction in rents in Wales had not amounted to more than 10 per cent. Some landowners had made excellent reductions, however; from 15 per cent to 25 per cent in some cases. One, if not more of his hon. Colleagues, four or five years ago, who had realized the position of the tenants, had given up steadily 25 per cent on each rent day. There were many landowners in Wales, however, who had only given small abatements of 5 or 10 per cent, and there were others who had made no abatement at all. Even in the present year, with a ruinous fall in prices, the average reduction did not amount to 15 per cent. What had been the effect of this upon the welfare of the people generally? Of course, the first effect had been upon the farmers. He thought he might count by scores farmers belonging to the most industrious and thrifty of their class to be found in England or Wales who had become bankrupt and been sold up. At the present time, without doubt, the majority of the tenantry were involved in debt. They went surety for each other at the banks, and the result was that whenever one farmer got within the grasp of his creditors, he generally took with him six or seven others. Not only was that the case, but the farmers' stock was depreciated, and labourers found little work, rural parts were depopulated, and land had been steadily deteriorating, so that the local burdens of the highway, school, and poor rates were becoming heavier to bear. In order that he might be certain of the ground on which he was going, he would read a short quotation from *The Land Agents' Record*, which said that

there was no concealing the fact that the tenant farmers had been very hard hit, and were using the capital of other parties to meet their payments; that, whilst the supply of manure was ample, the cultivation of the land was going down; that fields were left long beyond their time, and, notwithstanding that there was a general decrease of value each year, the tenants clung to their farms owing to the very great loss they would sustain by selling out, and from their inability to turn their hands to any other trade. It seemed to him that this state of things called for the immediate attention of Her Majesty's Government. In good times the majority of the Welsh cultivators lived in fear of increased rents, and in times of falling prices they were subjected to rents which were excessive. Moreover, the yearly tenure was in Wales doubly insecure, because the tenant depended upon the caprice of a landlord who very often hated and detested his religious and political principles. He thought he might say, in reference to the majority of estates in Wales, that the agreements had been so drawn up as to be restrictive and vexatious. Coming from a peasant home himself, and having opportunities to go in and out among the peasantry, he could not but express his keen sense of the anxiety and pain and agony with which hundreds and thousands of honest and thrifty peasants exercised their civil and religious rights of citizenship, and worked from morn till night to keep their homes together, and to feed, clothe, and educate their children. He might be asked what remedy he proposed? It seemed to him that it was not his duty to propose a remedy, but simply to state to the House, as honestly and truthfully as he could, the condition of things in Wales. He had, in the latter part of his Motion, referred to what was most specially and urgently needed in Wales. On that point he would quote, for the second time, an authority very much respected in that House, and by the extreme school of political economists and advocates of freedom of contract. He referred to the hon. Gentleman the Member for the Bodmin Division of Cornwall, whose views, expressed in a significant article, admirably represented the needs of the tenants in Wales. The hon. Gentleman said, that what they were in search after appeared to be the institution of some kind of intermediate authority which should be able to regulate and supervise the relations between the occupying tenants on the one hand, and the person or community entitled to rental on the other, and who should be able to supervise, modify, or control their relations one with the other, so as to secure the idea of constant and best occupation. On one of the Standing Committees, of which he had the honour to be a Member, some 70 members of the House were discussing a Bill which provided for intervention, to a great extent, between the traders of this country and the powerful railway monopolists; and, in listening to the discussions day by day, he had often asked himself the question, that, if it were necessary that the powerful and almost omnipotent traders of England should have an intermediate authority between them and the Railway Companies, how much more necessary was it for the Welsh tenant to have an intermediate authority between him and the landlord. In some cases, where public authorities were the owners of land, this difficulty had been met. The Commissioners of Woods and Forests had some years ago considered the condition of their tenants, and given reductions of 25 per cent, and even more. Again, the Ecclesiastical Commissioners had recognized the condition of agriculture, and they had given not merely a reduction of 25 per cent to the tenants, but also very great facilities for purchase. That was what they were asking for on behalf of the Welsh tenantry. They asked for facility of purchase of farms in Wales, and that, when farms were in the market, there should be some right of pre-emption to cultivating tenants who had spent their lives and industry upon their holdings. They might be told that there were no special conditions in the legal tenure of land in Wales, but law depended on the spirit and temper and circumstances of its administration. They were confronted with the fact that the tenants in Wales were suffering severely; ruin and the blighted prospects of their children were staring them in the face, and he and his hon. Colleagues were only doing their elementary duty as their Representatives in stating their case before the House. They were pledged up to the hilt to do

so, and no Member of the House was more deeply pledged to them than the hon. and gallant Member for West Denbigh (Colonel Cornwallis West). They did not speak for English farmers, who could bring their grievances before the House of Commons, but only for the tenants of Wales whose petition was, that the House, and especially Her Majesty's Government, should not meet their grievances with mere legal quibbles or with jeers, as was sometimes the case, or with cold refusals, but should give a serious and sympathetic attention to their grievances; and should devise an immediate, timely, and effectual remedy.

MR. A. H. DYKE ACLAND (York, W.R., Rotherham) said, he rose to second the Motion of the hon. Member for Merionethshire. He desired to state what he had observed when living in a purely agricultural district in Wales during the last 10 years, and to compare that with his experience as bursar of an Oxford college in the management of property scattered through the North Midlands and South of England. He should only refer to that part of the Welsh problem which he knew, and it was for others to say how far what he stated was fairly applicable to Wales as a whole. He wished to state, in the first place, that in his opinion the land question was very different in Wales to what it was in England; and, in the second place, that the social conditions of the people intensified and increased the difficulty. Taking the case of England, he said with reference to the past 10 years, which had been years of serious difficulty, if they left out altogether questions of seasons, prices, and difficulties between farmers and labourers, and if they restricted themselves solely to the question between landlord and tenant, and especially to the question of reduction of rent, they found that the cases in which the landlord and tenant had come most successfully through the struggle occurred when the landlord and the agent had had the most intimate acquaintance with the circumstances of the tenants. On the other hand, the greatest disasters which had ensued were largely due to the almost culpable ignorance which had led to refusals to grant reductions of rent where they were absolutely essential, which ignorance had led to the ruin of the tenant and sometimes to the ruin of the landlord also. Two principal results had followed in England from this state of things. First of all, in many parts of England the farmers had learned a spirit of independence which they had not before, and in many cases they had the whip hand of the situation. They had also learned to move from one part of the country to another in a way which before was unknown; many West-country farmers had recently travelled to the Midlands and North-country farmers had come to the South. In the second place, where the landlords had dealt fairly with the tenants, they found much of that good feeling on which the whole of the English land system was based. It had been thus with the system in England, where the landlord knew, or ought to know, his tenants well; he met them in the same field, in church, on the Board of Guardians, and in the county town on market day, and in many other respects he made himself the personal friend of his tenants. This had led to an improvement in the good understanding which resulted from the fact that the tenant knew that he and his landlord had borne their burden together. But in Wales neither had there been an increase of independence on the part of the tenants, nor had there been much additional desire to move from place to place, or any improved understanding between the landlord and the tenant. With regard to his experience in Wales, some English Members would say that the Welsh system was the same as the English, because the landlords made the improvements and erected farm buildings in Wales as they did in England, and because the Agricultural Holdings Act applied to Wales as well as to England. He ventured to say that a more shallow statement could not well be made on the subject. There had been, fortunately, good landlords in Wales who had dealt quite as well with their tenants as the best landlords in England, but the question was, had this been the rule? He would make one or two quotations bearing on this subject. His authority was the correspondent of *The Times*, who he thought ought to satisfy the hon. Member for the Denbigh Boroughs (Mr. Kenyon) because he certainly wrote, as far as he could, from the same point of view. There was nothing more remarkable than the contrast between the spirit and tone of those letters and

the spirit and tone in which Wales was referred to in the leading articles of many English newspapers, which said, that practically Wales was the same as Yorkshire, and if it were not, that it ought to be. *The Times* correspondent, who did not write as a supporter of the tenants, said nine months ago—

"The danger of the situation could not be easily exaggerated. Men will not, or dare not, pay their tithe, and the agitation will soon extend, if it had not done so already, to the payment of rent."

What lay at the root of the difficulty was the competition for farms and the land-hunger to which his hon. Friend the Member for Merionethshire had alluded. "The competition is intensely keen throughout Wales," said *The Times* correspondent; and he asked how this land-hunger was to be dealt with? A farmer had written to him saying that it was a matter of common experience to have a host of candidates for a vacant tenancy, for which they knew that the rent was too high but which they were willing to take hoping for better times. He was now going to quote a land-agent of as wide experience as any in Great Britain. This gentleman said that his experience was, that Welsh farmers would put up with a very great deal from their landlords rather than be turned out of their holdings; that they were very anxious to acquire a freehold; and that they would borrow the purchase money and burden themselves with the payment of interest exceeding, substantially, the amount of a fair rent; and that it was sometimes as easy to get 40 years' purchase for a farm in Wales as it was to get 30 years' purchase in England. It was well known also that sometimes when a farm was vacant many tenants would offer premiums to agents, and tell them that if they would only let them have the farms it would be worth their while. Another effect of the land-hunger was, that it had lead to a most remarkable punctual payment of rent. This land-agent said the tenants were very reasonable and extremely honest, and that he had never held a rent day without having every penny paid that was due. Could they wonder then, if, under this state of competition and fear of one another, the tenants who paid their rents so punctually had done so by spending the savings which they had earned in other days? *The Times* correspondent said, that the Welsh tenants were paying their rents with their savings of by-gone years, and he added that the shadow of the mortgagee was over the land; and further that he sincerely doubted whether the tenants could go on in their present position unless their rent was alleviated. As far as he (Mr. A. H. Dyke Acland) had seen, the tenants of Wales were the most thrifty people that could be found in the whole country. This was borne testimony to by *The Times* correspondent, who said that thrift such as was almost unknown existed among them; and those persons who had observed the people of Brittany would be able to picture to themselves the species of economy practised in Wales. If the farmers were thus hard pressed, what was the condition of the labourers? They had in the district that he knew no cottages built for them by the landlords, as was the case in England. As a rule, their labourers were hired for six months or a year; they sometimes lived with the farmers, and they were frequently lodged over outhouses or barns; but they put up with their hard lives because they knew that their masters were living hard lives as well. This remarkable fact also results, that while the master is making no money the labourer is saving some of his wages, and is actually making money which may be brought into competition with the farmer, because the idea of the labourer was to get a small farm even if he had to pay a rent which he could not afford. There were no doubt in Wales some generous landlords who had made liberal reductions of rents. But, speaking of the average landlord, there was a difference between England and Wales. Anyone who had been present at a rent audit in England knew very well that the agent who accompanied the landlord regarded the farmer who came before them with respect, feeling that the landlord, if he was wise, would keep him. The agent knew that if the landlord lost the tenant he would not get such a good one again—that he might get a man of straw, or, perhaps, be unable to get anyone at all. The tenant might say, "I must have additional farm buildings built," or might ask for a reduction of rent, and the landlord would hesitate in refusal. But in Wales the farmer knew that if

he made a reduction of rent a condition of keeping his tenancy, there were 10 or 20 men ready and willing to take his place. That, in his (Mr. A. H. Dyke Acland's) experience, was the actual condition of facts, although he knew many landlords in Wales who, as well as reducing rents, had constructed new buildings of an excellent character for their tenants, spending a great deal of money in this way. The real, vital difference—amongst many others—between the two cases was this—the Welsh tenants felt the want of a change; they were conscious of the absence of that good understanding between themselves and their landlords which protected the English tenants. Welsh agricultural districts were represented in the House of Commons, and hon. Members were under pledges to those of their constituents interested in agriculture, to endeavour to obtain some change, but the agitators —if they choose to call them so—on the subject of farmers' grievances in England had never very largely succeeded. The English farmer said—"On the whole I am satisfied with the good understanding I have on my farm;" and, therefore, there was not the same demand for change in England that there was in Wales. The state of things which existed in the Principality produced a bad effect on the relations of the classes to one another, a bad effect on the land, and a bad effect on its productiveness. And now he had a few words to say on the second point. He maintained that the social conditions, as he had observed them in Wales, intensified the difficulty. Take first the question of language, to which the hon. Gentleman who had moved the Motion had alluded. *The Times* correspondent said that—

"Seven-tenths of the Welsh people habitually use Welsh in their ordinary conversation."

And he said what he (Mr. A. H. Dyke Acland) could bear out from his own experience. He futher remarked—

"The attempt to Anglicize Wales has failed, and always will fail. I suppose that the language will die and is dying. These are the words of nine Englishmen out of ten, but I have never yet heard them from the lips of any man who had a genuine acquaintance with the people. In short, the attempt to Anglicize Wales has only resulted in adding additional difficulties to, and investing with dangerous complications, the problems connected with the Established Church and with property and land."

The Times correspondent said he differed from Lord Selborne on this subject, and held that the dividing line between Wales and England and the different characteristics of Welshmen and Englishmen were remarkably conspicuous. He (Mr. A. H. Dyke Acland) had no hesitation in saying that there were more columns in the Welsh language turned out of Welsh printing presses to-day than had ever been turned out before in the history of the country. What was the bearing of this upon the Land Question? Well, a Welshman had put this matter to him very forcibly only a little time ago. He had said—"Put yourself in the position of being a tenant under a French landlord; you would, I suppose, know as much about the French language as we know about the English language; and if you had to go to the landlord to explain in detail the difficulties of your position, and to appeal for a slight reduction of rent, would you not feel some trembling, and feel that the landlord and his agent had the best of you in the matter of language. That," he said, "is the way we feel in this matter when we have to go before the English landlord." The Welsh did all they could to keep up Welsh traditions and their Welsh language, as was evidenced by the interest they took in their National Eisteddfods, and the honours they bestowed upon those who distinguished themselves in native literature. They were keener about education than we were; their chapels were admirable instances of their sentiments in this direction, many of them being centres of educational life. He did not desire to introduce unnecessary controversial matter, but he must say a word about the religious aspect of the question. As a rule, the landlords and land agents were of one religious persuasion, whilst the great bulk of the farmers were of another, and, certainly, that did not lessen the difficulty. Take the parish in which he lived. There were, he should suppose, 120 farmers in that parish, and he would venture to say that out of that 120 there were not six who attended the parish church, and not three who attended it regularly, and the whole education for 16-17ths of the children was under the exclusive management of the clergymen of the Es-

tablished Church. He had sometimes wondered what in an English country parish would be thought of the state of things in which, in a village of Episcopalians, a benevolent Baptist of means had built large schools for the education of the children some time ago, and a Baptist minister had sole charge of the education of the children, 16-17ths of whom were Church children. Unfortunately, there had sometimes been conditions which had added to these difficulties of language and religion. There had been cases in which the farmer had been told that he must go once to church on a Sunday if he wished to hold a certain farm; and farmers had told him that they had been strictly enjoined when they took a farm that they must take no part in politics whatever, and that they had loyally obeyed; but he would ask the House at what a cost must they have obeyed? There, again—even in politics—things were different in Wales to what they were in England. In England the politics of landlords and tenants were pretty much the same, and even if they differed there was a genial sort of way of looking at these things, the farmer recognizing as a sort of principle that the vote and the lease should go together. The old Tory farmer in Yorkshire was like many another farmer in the country, when he said—"Ise blue, but I votes yaller; Ise blue to the back-bone, but I votes wi' my landlord." It was a sort of traditional sentiment with the man to vote with his landlord. This was not the way the Welsh tenantry acted. They would attend the landlord's meeting, when the landlord himself or one of his friends was standing for Parliament; they would come and sit on the platform and look very sheepish. They would sit there like fowls roosting, and they would come away looking very foolish; but the feeling of the people was with them, because it was known that possibly something serious might happen to them if they did not attend these meetings. Then would be heard the cry of "Screw! screw!" which was a common cry of the Welsh villagers when Tory meetings were being held, and it had a very significant meaning indeed. All this was very serious. He did not know if blame attached to landlords or agents in the matter; but it was unfortunate that both in religion and politics the landlords and the tenants should be on different sides. And what was the result of all this? Why, in the words of *The Times* correspondent, the man of business became the intermediary between the landlord and his tenant, and the relations between the man who owned the land and the man who cultivated it became purely commercial; and it was difficult to travel through the country with eyes and ears open without observing that the landlords and agents were cordially disliked. He attached no blame to the landlords for not being able to speak Welsh, nor to the agents for being, as some of them were, Scotchmen, Irishmen, and Englishmen; or, again, for being, as some of them were, captains and colonels. All he said was that there was in Wales an absence of those elements for the solution of the question such as were, fortunately, possessed in England at the present time. Well, what was the remedy? He thought that in all these matters, as in everything else, publicity was a good thing. That in itself went some way towards providing a remedy. If the Government were wise, it would look on the question in a sympathetic spirit; and, considering how little was done for Wales when a Royal Commission sat a few years ago, the Government might fairly institute an impartial inquiry into the whole of the question. But, beyond that, he confessed he thought that some security would be needed for the tenant if he was to be placed in a fairly independent position. For his own part, he should infinitely prefer to see opportunities for purchase provided to any other method of solving this difficulty. But in any case, in order that a purchase system might be provided, it was obvious that rents must be modified. Something would be done if it were settled how many years' purchase should be given for holdings. But, above all, let the Government do something. Do not let them raise a cry against "Agitators." Of course, if hon. Gentlemen liked, they could get up and quote translations from some of the vernacular papers in Wales, which would, no doubt, make the House laugh, and perhaps tend to make people think that the whole of this case was artificial and a sham. Let them do so if they liked. The vernacular Press of Wales was, no doubt, sometimes wild in its phrases, and fond of quoting Scripture, and it very often exaggerated; but even

if hon. Members could quote passages illustrating these weaknesses, it would not solve the question. Even if they talked about "professional agitators" and the rest of it, they would not have solved the question to-night. They could not get agitators, and an agitation—a strong agitation, as he supposed they would call it—such as was commencing in Wales, unless there was something to account for it and some solid grievance at the bottom of it. The Welsh were a very patient and a very law-abiding people, and they would not get anything to make them excited or excitable unless there was some genuine reason for it. Well, he felt that he had only stated his case in a very fragmentary way, and he knew that any Englishman who meddled in this question ran the risk of being called an adventurer, who knew nothing about the question. But, he had tried to show, at any rate, that he knew more about it than those who only made a short visit to Welsh watering places or made an occasional visit to Snowdon; and he would venture to challenge even the hon. and gallant Member who was going to move the Amendment to say anything but that—though not in relation to his own estate or those of the best landlords—the circumstances which had been related to-night, as applying to the condition of the Welsh tenantry, were not too sadly true in many parts of Wales. Nothing had been said either by his hon. Friend who had moved the Motion or by himself about that much-abused term "Nationality" or Home Rule leading to disintegration. All that talk was utterly without foundation, so far as the Welsh were concerned. He would tell them how to make a Welsh Question if they wanted to make one. Refuse to Wales all idea that the Welsh had any special peculiarity or special circumstances as a race, and tell them that they were like other large districts in England, with no claim to special treatment; tell them, so far as Church matters went—as he was afraid the present Government would be obliged to tell them—that their complaints could not be listened to at all, and there would soon be a Welsh Question. Some leading English authorities on matters of this kind had been too wise to take up such a position. The late Mr. Matthew Arnold knew better than this; and Parliament would do well if it took his advice so far as Church Disestablishment was concerned. The Welsh people were infinitely in advance of us in regard to education, and were asking for some comprehensive scheme of secondary education, and nothing could be more reasonable than to give them an Educational Council of their own to settle these matters their own way. But tell them that their natural aspirations in the matter of education were not to be acceded to, and then tell them that on this Land Question they had no grievance, and then, without difficulty, they would make a Welsh Question. On the other hand, meet them half-way, and he knew no people more easy to satisfy. The Welsh were timid, but tenacious; and, though slow to move, they were excitable when they considered they had just cause for excitement. It had been said that they were prone to take advantage of the stranger; but that was largely due to the circumstances in which they had grown up, and to the suspicious attitude in which they were placed. But this he was sure of, that there was no more kind-hearted people on the face of the earth. There were two things seriously dangerous in any country like Wales. One was that it should be strongly felt that there was a great social inequality in the country; a feeling not as people would say of mere envy, but a perfectly reasonable and candid desire to count for something in the community in which they lived; and the other was the feeling that the distribution of property and the conditions of tenure of property were unfair and unreasonable, and pressed hardly upon the common people. Well, he feared that, to some extent, both these conditions were present in Wales. If the Government wished to avoid the evil results that might follow, let them, in a spirit of kindly sympathy, make a certain amount of reasonable inquiry, to see whether those who had stated the case that night had spoken falsely or truly. That would be going a long way. If the Government wished to avoid lawlessness—which was totally unnecessary, and need never come about—and further distress, he could only say let them make a full inquiry as to whether, in part at least, some remedy for the present distress could not be found.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "having regard to the special circumstances of Wales, and the prevailing agricultural depression, and their effect upon the welfare of the Welsh people, this House is of opinion that Her Majesty's Government should pay immediate attention to the subject, and take steps to provide a measure of relief which shall secure fairer conditions of tenure and a re-adjustment of rent, more equitably corresponding to the fall in prices, and make such other provisions as will enable the cultivators of the soil to meet the trying circumstances in which they are placed,"—(*Mr. Thomas Ellis,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL CORNWALLIS WEST (Denbigh, W.) said, he had given Notice of the following Amendment:—

"That this House, whilst fully sympathizing with the distressed circumstances of the agricultural population of England and Wales, is of opinion that no special circumstances exist in the tenure of land in Wales justifying exceptional legislation for that portion of the United Kingdom."

He believed he was unable to move this Amendment, owing to the Forms of the House; therefore, he would simply make it the text of the few observations with which he should trouble the House. The four points that had been dealt with by the hon. Member who had made the Motion (Mr. T. E. Ellis) were, first, as the hon. Member had stated, the serious condition of the agricultural tenancy in Wales; secondly, the special circumstances of Wales; thirdly, a fairer condition of tenure; and, fourthly, a re-adjustment of rent. Now, it was not his (Colonel Cornwallis West's) intention to trouble the House with very long remarks; but he thought he might be allowed to allude to a few of the points which had been touched on so ably by the hon. Gentleman the Mover of the Motion. The hon. Member had begun by describing to the House what he considered the special circumstances which divided, upon this question, Wales from this country. He had told them that one cause of the great difference which existed between the tenantry in Wales and England consisted in the attachment the tenantry in Wales had for their holdings; and also in the fact that so many of them had been hereditary tenants. Well, he thought that very fact argued in favour of the landlords of Wales. The tenants delighted in remaining on their farms, and if that state of things existed, as he asserted it did, it proved that the tenants were not under that grinding system that many people asked them to believe they were under. This, the hon. Member said, showed a great hunger for land. He (Colonel Cornwallis West) confessed he came from a part of the country where that hunger did not exist. He did not know where it did exist. It might exist in parts of Wales; but, so far as his experience of the Principality went, it certainly was not apparent. The landlords were very thankful to get tenants to take the farms, and he could tell the House that, so far as the county he represented was concerned, there was happily not a single vacant farm in it. This statement applied to the land in Denbighshire. It might be true that it showed that the people were desirous of acquiring farms, but at the same time it proved that the people had the means to take the farms—had the money to take them. It seemed to him to be a hardship to turn round on the men who wished to take farms, and had the money to do so, and who agreed to pay a moderate price for them, and say that they were not to take them because other people could only farm them at a much greater reduction. In the course of his speech the hon. Gentleman the Mover of the Motion had stated that to be a rule which, so far as his (Colonel Cornwallis West's) experience went, he denied most emphatically—namely, that Nonconformists were objected to by the landlords. He should like any hon. Member to give him the name, privately, of any great landlord in the Principality who had refused a tenant a farm because the man was a Nonconformist. The hon Member had gone on to state that not only were tenants refused farms, but that people were not appointed magistrates because they were Nonconformists. That might occur in some parts of the Principality; but all he could say was, that he had the honour to make such appointments, and that he had never in deciding upon them for a moment considered whether a man was a Nonconformist or a Churchman. And now he would for a few moments address himself to the point as to the serious position of the tenantry of the Principality. He could assure the House

that the tenantry of Wales at this moment were in a better position than the tenantry of England. He possessed a landed estate in the South of England, and lately he had been obliged to let land there at 10*s.* per acre; and he appealed to hon. Members who sat around him whether there were any parts of the Principality where land could be said to be worth no more than 10*s.* an acre? Whilst land in England in some places let for as low as 10*s.* an acre, in the Principality, so far as he was aware, it never let for less than 15*s.*, and grass land would fetch £1 per acre and upwards. Now, was the tenure of land in Wales so different to that in England as to make it desirable that special legislation should be applied to the Principality? So far as his experience went, the agreements between landlords and tenants were the same in the Principality as in England. There were some exceptions, perhaps, so far as the custom of a county affected them, but they were in the nature of exceptions, and he maintained that it would be impossible to find on any large property in North Wales a single agreement between landlord and tenant which differed in any material point from ordinary English agreements. If that were the case, what was the ground for proposing—as he believed it was proposed—that a similar land measure to that in force in Ireland should be passed for Wales? It was absurd to suppose that the principle of the three "F's" could by any possibility be applied to Wales. He challenged any hon. Member to give the name of a single landowner in Wales who did not do the whole of the permanent improvements and repairs on his property. Under these circumstances it seemed to him absurd to ask for a Land Bill for Wales on the same principles as the Land Act given to Ireland, where the conditions were totally distinct. It had been said that there had been no general reduction in the rents in Wales. Of course, that was a very difficult question to decide off hand one way or the other. He could only say, from what he had heard and what he had done, that he believed the reductions of rent in Wales had been very large, ranging from 10 to 30 per cent. Of course, he could not say that every owner of landed property, great and small, had granted such reductions; but he did say that the majority of them had granted fair reductions of from 10 to 20 or 30 per cent. He believed that if a Royal Commission were appointed on the subject, which he hoped might be the case, it would be clearly shown that the facts were as he had stated. As far as the landlords of the Principality were concerned, they would hail the appointment of a Royal Commission with the greatest pleasure. Thousands of pounds had been spent on the estate of every large landowner in Wales, and he was in a position to say that at the present moment there were hundreds of farms let at a price which did not pay 3 per cent interest on the capital invested by the landlords in farm-houses, drainage, and other improvements. He himself could guarantee that this was the case in his own part of the Principality, and he had no reason to suppose that a similar state of things did not exist in other parts of Wales. He believed one of the principal sources of the present state of things to be that, unfortunately, many tenant farmers had taken farms without having sufficient capital. Only a few days ago he was reading a most excellent pamphlet, written by Mr. Daniel Owen, of Cardiff, who was distinguished as an authority, and who thoroughly understood agricultural questions. Mr. Owen said—

> "Farms are often taken by men with only £3 or £4 an acre, and sometimes even with less. With such men it is a struggle from the first; if a bad harvest comes, the struggle becomes more severe. Still they may manage to keep afloat in the face of one bad harvest, or, perhaps, of two bad harvests; but when it comes to four disastrous seasons, the current is too strong and they are obliged to give way. I cannot too strongly deprecate the evil occasioned by men embarking in farming with inadequate capital. And yet this is constantly done. If a man has, say, £2,000, he should not, as is too often the case, aspire after a farm of 300 or 400 acres."

He believed that to a great extent what was going on now was the result of men wishing to have large farms, and not having sufficient means to carry them on. There was one point which had been under consideration—namely, as to whether the tenants in Wales did the permanent improvements or not. He had seen this stated to be the case in the Press. Of course, it was a very important question. If the tenants did carry out any permanent improvements, which was very doubtful indeed, he considered that the present Agricultural

Holdings Act did not go far enough. What he should like to see, instead of a Motion of this kind, would be the introduction of a Bill dealing with Agriculture both in England and Wales. What he deprecated was to see the subject dealt with piecemeal in relation to one portion of the United Kingdom only. He wanted to see the whole of the country dealt with as one. He did not see why, on a question of this kind, in reference to which the condition of things, as they knew perfectly well, was more or less alike in the two countries, a special Act of Parliament should be required for Wales. The adoption of certain changes in the Agricultural Holdings Act would, he considered, be of much more practical use than the passing of a Motion of this kind. He thought that provision should be made in the Compensation Clauses of the Agricultural Holdings Act for acts of husbandry, due allowance being made for turnip land, fallows, manure, stubbles and seeds, and laying and trimming hedges. Tillages should be definitely explained in the Act, and a valuation scale should also be inserted. If a man, for instance, grazed a field with stock, instead of cutting it for hay, it would, of course, make a considerable difference to him. Compensation might also be given for corn consumed during the last year of the tenancy, and which had been grown upon the farm, due notice being given to the landlord that the tenant wished to consume his own home-grown corn. Such changes, if made, ought to apply to the whole of the Kingdom, and not merely to the Principality. He had been very much surprised at the picture which was drawn by the hon. Member who had last spoken of the condition of Wales, and of the want of sympathy between landlord and tenant which was said to exist there. He had lived in the Principality for his whole life almost, and had never heard of the terrible state of things which the hon. Member had described. He believed his tenants and himself were on the best of terms, and that the same was the case with the landlords and tenants round him with very few exceptions. When the hon. Gentleman said that the whole of the landlords of Wales were out of sympathy with their tenants, his reply was that it was simply not the case.

MR. A. H. DYKE ACLAND said, he had not said a word about the whole of the landlords. He had stated again and again that many landlords were treating their tenants as well as the best English landlords.

COLONEL CORNWALLIS WEST said, he was very glad that he had obtained such a disclaimer from the hon. Member. He was certainly under the impression that the hon. Gentleman had said what he had stated. He would appeal to hon. Members from Wales who had any stake in that country as landowners not to be led to give a vote on the Motion from Party motives or a desire for popularity, but to tell the House whether or not it was true that the tenure of land in Wales was so different from what it was in England, and so hard, in its general effect, as to call for any special legislation. There were many in that House who could give the House such information. The hon. Member for Pembroke (Mr. W. Davies) would, he believed, be able to explain what was the case in that county, and two or three other landlords who were men of position in their counties could state that the fearful picture which had been drawn of the relations between landlords and tenants was entirely imaginary. He believed there were some seven or eight hon. Members who were connected by ties of property with the Principality. The remaining Welsh Members were not, as the House knew, connected by such ties. There were some who hailed from the exchange and some who hailed from the Law Courts. He thought that the seven or eight Members who had property in Wales should support him in his contention that the landlords of Wales were not the tyrants they were made out to be by those who spoke on political platforms. He challenged such hon. Members to make out a case for the application of the principles of the Irish Land Act to Wales. If they could show any estate where the tenant had built his house and farmstead, drained or reclaimed land, bought the tenant-right, or fulfilled any other of the conditions of the Irish land problem, they would no doubt make out a case. He said none of these circumstances existed in Wales at the present time, or, if they did, it was in some portion of the Principality with which he was not acquainted. He felt confident that any

proposal which would have the effect of withdrawing the capital now so profusely and so wisely found by the landlord on every large estate, and in most of the small ones too, would result in the ruin of all classes connected with agriculture; and in the severance of those ties of mutual regard and reciprocal good feeling which had characterized the relations of the landlord and tenant in Wales for many years past, and which, he believed, would otherwise be maintained in the future.

MR. OSBORNE MORGAN (Denbighshire, E.) said, his hon. and gallant Friend the Member for West Denbigh (Colonel Cornwallis West) claimed to represent a constituency which was, perhaps, more interested than any portion of Wales in the Motion before the House, but he did not think his hon. and gallant Friend could point to a dozen men in his own constituency, except, of course, landlords like himself, who would endorse the sentiments to which he had just given utterance. Indeed, he thought that his hon. and gallant Friend himself was a very recent convert to the views he had expressed. Little more than a year and a-half ago, on the 28th of October, 1886, a public meeting or conference was called at Denbigh for the purpose of discussing the basis of a Land Bill for Wales, afterwards embodied in the Bill of his hon. Friend the Member for the Eifion Division of Carnarvonshire (Mr. Bryn Roberts), and which Bill was lately before the House. He (Mr. Osborne Morgan) was not present, but he was told there was a discussion lasting for something like four hours on the subject. In the evening a public meeting was held, and Colonel Cornwallis West proposed the following resolution:—

"That, in the opinion of this meeting, the present depressed state of agriculture deserves the earnest attention of the Legislature, and it is desirable that a measure should be prepared and submitted to Parliament next Session, with the view of alleviating the distress now so generally felt among the agricultural and labouring population of the country."

This was followed by a Motion approving of the Bill to which he had already alluded. Under these circumstances, his hon. and gallant Friend (Colonel Cornwallis West) could not quite claim a monopoly of consistency in this matter. He (Mr. Osborne Morgan) had taken great pains to arrive at the truth. Some 12 months ago he sent round to a number of his constituents questions as to the present position of agriculture in North Wales. He received a number of answers, which he had handed to his hon. and gallant Friend for the purposes of his speech. As his hon. and gallant Friend had forgotten to return them, he (Mr. Osborne Morgan) could not quote from them, but he could tell the House that they showed the depreciation of farming stock during the last 10 years in Wales to have been enormous. Not only had there been a great depreciation in stock, but there had been a still greater depreciation in the price of wool, which, in a country where by far the greater number of the farmers were sheep farmers, was a very serious matter. The hon. Member for Merionethshire (Mr. T. E. Ellis) had stated this depreciation at something like 60 per cent. He himself should have put it at something like 50 per cent. At any rate, the fall had been very heavy. Side by side with the great depreciation in the value of farming produce, there had been an increase in the rates, especially the sanitary rates. The wages of agricultural labourers had been nearly stationary. He should have thought this rather a matter for congratulation, but unfortunately the cause from which it had arisen was that a large portion of the agricultural population had migrated to the already over-populated industrial centres of England. With regard to rents, as far as he could gather, there had been reductions, but, as a rule, they had been spasmodic and temporary, and certainly inadequate. In some cases, no doubt, they had amounted to 20 per cent, but the average had been from 10 to 15 per cent. The tithe rent-charge, which he could only describe as a sort of running sore, eating into the very heart of the political and religious life of the people, had not been reduced at all. If matters had stood there, he would have agreed with his hon. and gallant Friend the Member for West Denbigh (Colonel Cornwallis West), that it was difficult to establish a distinction between England and Wales, because, if Wales had suffered much, England had suffered much also. He made his hon. and gallant Friend a present of that admission. He thought it quite possible that the great wheat-growing districts of England, such as those of Lincolnshire and Essex, were suffering quite as

much as Wales. His hon. and gallant Friend said he was obliged to let English land at 10*s.* an acre. He (Mr. Osborne Morgan) was in a worse position than that, because he had an English farm which he could not let at all. But his hon. Friends who had respectively moved and seconded the Motion, had referred to two things which materially distinguished the case of Wales from that of England, and which, he thought, called for the special interference of Parliament. One of these was that extraordinary land-hunger which seemed to be common to all Celtic nations. His hon. and gallant Friend had said that there was not a single farm vacant on his estate. That was extremely probable. But why was that? It was because the farmer had nothing else to do but agricultural work, and nowhere else to turn to. In North Wales, at least, they had no large towns to draw off the surplus agricultural population. Indeed, the Welsh farmer who was deprived of his holding was the most helpless being in the whole world. He could not go to England on account of his ignorance of the English language, and he could not engage in any other industrial employment. He was forced back upon the land. In addition to this, he was strongly attached to the soil. These facts completely disposed of the argument which his hon. and gallant Friend based upon the circumstance, that there was no farm to let upon his estate. There was another material difference between the Welsh and English agriculturists. Between the Welsh landlord and tenant there was a "great gulf fixed." Englishmen did not understand this. They passed through Wales and visited watering places like Llandudno and Rhyl, but they obtained no knowledge whatever of the condition of the people. The barriers that separated landlord and tenant in Wales were almost insurmountable. There were barriers of language, barriers of race, religious barriers, political barriers. The Welsh landlords and tenants lived and moved in entirely different worlds. They spoke different tongues; they attended different places of worship; there was no common ground on which they could meet. Could there be a greater barrier than that which separated them in regard to language alone? Had any of them tried to drive a bargain in a language—such as German or Italian—of which they had but an imperfect knowledge? That was the normal condition of the Welsh tenant-farmer. People talked of freedom of contract, but it was impossible to have absolute freedom of contract where one of the parties did not understand the language in which the contract was written. The matter was exceedingly well put in a pamphlet written by Mr. R. A. Jones, who pointed out that the prevalence of the Welsh language in itself rendered it impossible for the two classes to be in sympathy one with the other. The result of these differences in language, religion, and politics was practically to place the Welsh landlords and tenants at arm's length. He said advisedly that the condition of Wales in this respect was far more like that of Ireland than that of England. His hon. and gallant Friend had challenged any man to say whether improvements were made by the tenants in Wales. In some cases they were, but it was perhaps difficult to lay down any general rule. He, however, relied not so much upon that point as upon the fact of the existence of the class-wall, as he might call it, between landlord and tenant. This was practically equivalent, in its effects, to absenteeism. As a rule, it was very difficult to convince Englishmen that a Welshman was anything more than a peculiar kind of Englishman, who preferred an Eisteddfod to a horse-race and spoke a language which no one could understand. It was refreshing, therefore, to find an Englishman like the hon. Member for Rotherham (Mr. A. H. Dyke Acland), who, if he had lived for 50 years in Wales, could have more accurately stated the condition of the country than he had done in his speech. His hon. and gallant Friend (Colonel Cornwallis West) had suggested that the hon. Member for Pembroke (Mr. W. Davies) should tell the House something about the condition of his county. The hon. Member for Pembroke, however, could scarcely be said to represent Wales at all. Parts of Pembroke was generally known as "Little England beyond Wales," and was an English colony. It did seem to be a little hard that because one, or possibly two, of the counties in Wales were satisfied with the present condition of things, theother 10 counties should be

denied the justice they asked for. Of course, the House would be told that since the Union, in the time of Henry VIII., Wales was politically an integral part of England. That was the old argument which one always heard on these occasions, and it was one more worthy of a lawyer than of a statesman. The House of Commons had already knocked a good many holes in the Statute of Henry VIII., and they hoped to knock a good many more. Two or three Statutes had been passed which applied only to Wales, and when the House of Commons, by allowing it to be read a second time, put its seal, as it were, on the Welsh Intermediate Education Bill, it practically recognized the fact that Wales was entitled to distinctive treatment at the hands of Parliament. But, be that as it might, they could no more turn Welshmen into Englishmen than they could turn Englishmen into Welshmen. Say what they liked, the Welsh people were a distinct nationality. If their laws were the same, their customs, their habits of life, their language were different, and if the laws of a people did not correspond to their requirements, the sooner they were altered the better.

MR. KENYON (Denbigh, &c.) said, he must congratulate the hon. Gentleman the Member for Merionethshire (Mr. T. E. Ellis) upon the exceedingly courteous and tolerant way in which he had introduced this subject to the House. He felt that the tone of the speech of the hon. Gentleman had been such that it rendered it somewhat difficult for anyone who differed from him in many points to make his views sufficiently heard. Though he agreed up to a certain point with the last words which fell from the right hon. Gentleman the Member for East Denbighshire (Mr. Osborne Morgan) with regard to the question of national sentiment, he felt the remarks the right hon. Gentleman made with regard to the want of sympathy between landlord and tenant, as resulting from the necessity of two languages in Wales, were, he would not say overstrained, but exaggerated and altogether beside the question at issue. The right hon. Gentleman had lived in Wales for a great number of years, but had he ever found a landlord in Wales who was not in sympathy with his tenants for the simple reason that he was not able to speak to them in their own language? He (Mr. Kenyon) had lived in Wales all his life, and had been connected all his life with the land.

MR. OSBORNE MORGAN said, he did not attribute any blame to the landlords. It was their misfortune, not their fault.

MR. KENYON said, he did not accuse the right hon. Gentleman of doing so. He was about to say that he had lived all his life in Wales, and that he had been connected, perhaps, more closely with land in Wales than the right hon. Gentleman. For 20 years he had been an agent of a large property in Wales. In that capacity he had been brought in contact with the tenant farmers and cottagers in Wales, and now he was a trustee and managing owner of a very large estate in North Wales. Never in his experience had there been any difference of opinion between him and those with whom he had had to deal very largely, on the score of language. There was perfect sympathy as between landlord and tenant, and he had no hesitation in saying, speaking from an experience both as tenant and as a manager of estates—and as a tenant he had no doubt he had, perhaps, as much experience as the Member for Merionethshire (Mr. T. E. Ellis), for he had farmed 350 acres for a considerable number of years at a considerable loss, and he was now farming his own land at a larger loss still—he had no hesitation in saying that the question of language or the question of land tenure in general in Wales had had no different effect upon him as a tenant or as a land agent than they would have had if he had lived in Shropshire over the Border. The hon. Gentleman (Mr. T. E. Ellis) based his Motion upon the statement that there were exceptional circumstances in Wales which required exceptional legislation. Now, what were the exceptional circumstances in Wales to which the hon. Gentleman referred? In the first place, the hon. Gentleman contended that there had been a great fall in prices. Surely there had been no greater fall in prices in Wales than there had been in any county over the Border; on the contrary, the prices in Wales had been less affected by the general depression of agriculture than the prices in the Border counties had been affected, and for this reason,

that the great trade which was done by Welsh farmers, was done in mutton and in wool. No doubt the fluctuations in the price of wool were at one time very considerable; but wool at the present time was one of the very few things which had risen in price. Meat, too, had risen in price. Therefore, at the present moment, the two staple articles upon which Welsh farmers depended were actually on the rise, and not on the fall as the hon. Gentleman would lead the House to understand. Cheese was very largely produced in Wales, but, possibly, not to the same extent in the counties which the hon. Member (Mr. T. E. Ellis) was particularly acquainted as in the counties with which he (Mr. Kenyon) was specially concerned. Now, the value of cheese had actually risen during the last two years very considerably, and at the present moment was sold at a higher price in the market than it had been sold at for the last three years. If they took, therefore, the question of price, he thought the average fall in prices in Wales was certainly not greater, but if anything rather less than in the Border counties in England. Then the hon. Gentleman argued that the average reduction in rent had not been commensurate with the fall in prices. He (Mr. Kenyon) happened to know a little about the subject, and he asserted, without hesitation, that the average reductions in rent in the counties in Wales were certainly larger than the average reductions in the Border counties in England. The average reductions in rent in the Welsh counties with which he was acquainted varied from 15 to 30 per cent. In some cases they had amounted to 50 per cent, and many cases within his knowledge there had been permanent reductions in rent amounting to 30 per cent. He thought that if they came to investigate the question carefully it would be found that the reductions of rent in Wales, if not far in excess, were, at any rate, quite as large as the average reductions made in England. If there were no exceptional circumstances with regard to prices and reductions of rent, were there exceptional circumstances with regard to rates or agreements? He did not know what the average rates all through England were; but he knew that in Wales they were extremely reasonable. The average rating of Welsh parishes was 2*s.* 3*d.* in the pound, while the rating in many English counties amounted to 3*s.* 6*d.*, 4*s.* 6*d.*, and 5*s.* 6*d.* in the pound. The Welsh rates, except in some of the mining parishes, where there had been a great deal of pauperism, and where, perhaps, there had been large expenditure on school boards, would be found to be no higher than the rates in the rest of the United Kingdom. Now, they were told that the landlords in Wales bore some resemblance to their Irish brethren, of whom he wished to say nothing evil. They were told that the Welsh tenants made improvements, and that the landlords were such horrible creatures that they sucked up all the improved value after the improvements were made. Now, as he had said, he had had much experience as regarded land in Wales, but he did not hesitate to say that there was never made an observation which was so absolutely and entirely contrary to the facts as that statement. He was well acquainted with a large estate in Wales where, for many years, 50 and 75 per cent of the rental of the property was spent in making permanent improvements upon the property, and that after that time, and ever since, 25 per cent of the rental had been spent upon the property. Upon a very large estate adjoining the one he had just spoken of, they spent for some years the whole rent upon the property, and within his knowledge as a land agent there was not a single case in which a tenant had ever erected any building, or had ever made a permanent improvement upon the property with the single exception of drainage. Some tenants had cut the drains, but the landlords had provided the pipes. To compare the Welsh landlords with the landlords of Ireland was, therefore, unreasonable. He thought he might fairly say that the landlords had done their duty in expending money upon their property, and that they were entitled to be treated with justice and respect. There was one other point to which the right hon. Gentleman the Member for East Denbighshire alluded. In Wales, for some reason or another, a great deal of land had changed hands during the last 30 or 40 years. There had been cases of a certain amount of hardship to the tenants in consequence of this change of proprietorship. Where there was an old established estate, the probability

was that the landlord had no desire to get rid of his tenant, and the tenant had no desire to leave his landlord. But there came a change; owing to some reason or other the land changed hands. Land in North Wales, particularly, had recently changed hands. The new landlord, coming in, perhaps from Ireland or Liverpool, might have paid a good price for the land. It had happened that the farms had been re-valued, tenants had been asked to accept the new valuation, and on their refusal to do so had been turned out. That unquestionably was a hardship which the tenants suffered. It was a hardship which, as had been fairly pointed out, was not altogether covered by the Agricultural Holdings Act. Some additional clause might very properly be put in the Act to cover the position of the sitting tenant—say of a man who had occupied the farm for a certain number of years. There was one other matter to which he must draw the attention of the House, and that was the Crown rents. There was a quantity of land in Wales which was subject to certain claims on the part of the Crown. Some years ago the Crown came down upon a little village in Wales, and claimed from the tenants 19 years' arrears of Crown rents. For 19 years the Crown rents had never been asked for; but then the Crown came down upon the people, because they knew the thing was getting far too old. It was very hard upon the owners that they should be asked to pay these rents, of which some of them had never even heard a syllable. The same thing had happened in parts of Merionethshire. He thought the House was entitled to hear from the Government what steps the Crown intended to take in the future with regard to its rents. He did think that, in the interest of the Welsh farmer—and no man had more sympathy for the Welsh farmer then he had—they ought to do all they could to ameliorate his condition. The Government would certainly do Wales a good turn if it granted a remission of such rents and royalties which existed at this moment. The landlords of Wales had been told that they were out of sympathy with the tenants. He did not believe it. He did not believe that any of the late riots had anything to do with the relations between landlord and tenant. He believed that landlord and tenant were, as they ever had been, one; that they always would pull together if they were not divorced by a foolish and one-sided policy on the part of the Government of the day—Liberal or Tory, as the case might be—and if, on the other hand, they were not led astray by—could he say—agitators? He would not use the term in reference to any friend of his on the opposite Benches, but simply in reference to certain ambitions Gentlemen who, perhaps, had some reason in putting themselves prominently forward. He maintained that if neither of the two elements he had mentioned prevailed—if the Welsh were treated with reason by the Government, if their just claims to legislation were regarded, and if hon. Gentlemen opposite would refrain from agitation, from stirring up strife in the country, his firm impression was that the traditional loyalty and good sense of the Welsh people would re-assert itself, and that Wales would still remain what it had ever been, the most law-abiding portion of Her Majesty's Dominions.

MR. STUART RENDEL (Montgomeryshire) said, he did not rise at this late hour (11.20) to interpose at any length in the debate; indeed, he thought that the Welsh Members with whom he acted had very little occasion to elaborate their case. Even the speech to which the House had just listened proved conclusively the justice of the case of the hon. Member for Merionethshire (Mr. T. E. Ellis). The hon. Gentleman (Mr. Kenyon) began by the admission, which was greatly in their favour, that so far from the hon. Member for Merionethshire having opened the discussion in the spirit of an agitator, he had opened it in the spirit of a young and promising Welsh statesman. The Welsh Members certainly owed the hon. Gentleman (Mr. T. E. Ellis) a debt of gratitude for the exhaustive statement he had made on their behalf. The unity of the Welsh Representatives on this question was considerable, and the Amendment of his hon. and gallant Friend the Member for West Denbighshire (Colonel Cornwallis West) had not given them much alarm or anxiety. That the hon. and gallant Gentleman should move an Amendment at all was a surprise to most of them. He had always looked upon his hon. and gallant Friend as a more advanced land reformer than him-

self; he had always supposed the hon. and gallant Member committed to a view of land reform from which he (Mr. Stuart Rendel), with his poor judgment, shrank. But the hon. and gallant Gentleman had given them great hope and satisfaction, for he had pledged himself to the desirability of the appointment of a Royal Commission to consider the question of agriculture in Wales. They knew that the hon. and gallant Gentleman did not want to give to his Welsh tenants what it was impossible for him to confer upon his English tenants. With that species of opposition they might be well content. His hon. and gallant Friend made some statements, however, upon which he desired to comment for a moment. The hon. and gallant Gentleman referred, and referred with legitimate pride, to the fact that on many large estates in Wales no case arose which would justify an application to the House for its attention. He (Mr. Stuart Rendel) and his hon. Colleagues admitted it; they always would admit it. They believed that the hon. and gallant Gentleman's case was a case in point. But their complaint was not against the large landlords at all. Their grievance rather arose from the fact that Wales was peculiarly a country of small landlords, and, unfortunately, of indebted landowners. It was the case of these which was in question. The hon. and gallant Gentleman had also gently insinuated that if the question rested with the landowning Representatives of agricultural constituencies in Wales, no difficulty would arise. The case which the hon. and gallant Gentleman himself adduced was one which sufficiently answered that argument. The hon. and gallant Member pointed to the fact that there were only seven landowning Representatives of agricultural constituencies in Wales, though there were at least 20 of such constituencies. The mere circumstance that Wales returned from agricultural constituencies men other than landowners in such an overwhelming degree, the very fact that it rejected its natural leaders, the very men who had the best opportunities for gaining the confidence of the public in such constituencies, was surely a very solid argument, showing that there was something wrong in the relations between the landlords and the tenants in Wales. The hon. and gallant Gentleman seemed to be under a strange impression. He stated with great courtesy, if he stated it definitely at all, that persons other than landowners were not altogether competent to discuss this question. But it did not present itself to them as an agricultural technical question. Many of them could not pretend to be competent judges on agricultural matters, but to them this was an industrial problem, and he thought that so far from landowners wishing to have an exclusive audience in the House and the country on matters in which they were supreme, it surely was desirable that they should refer such matters, or be willing to refer such matters, not only to disinterested persons, but to those who had an outside experience of the other industries of the country. He thought it was possible to show that some of the errors which had arisen in the agricultural system of Wales were due to the want of elementary knowledge on general industrial questions which the landlords unfortunately displayed. His hon. and gallant Friend (Colonel Cornwallis West) cited a case. He (Mr. Stuart Rendel) would take that case, not because it was a strong one, but because it came from the hon. and gallant Gentleman himself. The hon. and gallant Gentleman said the fact was that the mischief was largely due to the circumstance that so many tenants took farms for which they had not capital enough. Surely a landlord ought not to let his farms to tenants without sufficient capital. Why was a landlord induced to do this? Simply because he regarded it to his interest to have as large a competition for his farms as possible. If a landlord would only see that the competition was narrowed to men he knew to be competent to take the, farms it was quite certain he would get rid of the very difficulties to which the hon. and gallant Gentleman (Colonel Cornwallis West) had attributed so much of the present state of things. There was another and a larger question relating to rent on which a more grievous error was frequently made by landlords. Welsh landlords were too much in the habit of considering that a fair rent was that which a farm would bring. The House knew that that unfortunately was an idea which was a great deal too commonly held as to what was a fair rent. A fair rent was certainly, as his

hon. and gallant Friend would agree, not what a farm would bring, but what the land could fairly earn and pay. The contention of the Supporters of the Motion was that for a long period back the tenants of Wales—than whom there were no tenants in the world more thrifty, industrious, and frugal, had been required to pay the price of existence and starvation rents. The result of this had been a more general depletion, a more widely extended condition of agricultural distress, a greater depopulation of whole districts, than perhaps could be instanced in the kingdom anywhere out of the Highlands of Scotland. Now, the idea was entertained in some quarters that the effect of making this Motion would be mischievous rather than beneficial, because it might, to a certain extent, shake confidence in capital, and might disincline investors to come to Wales. But it had been admitted, and admitted by the hon. Member for the Denbigh Boroughs (Mr. Kenyon)—he believed it was also admitted by the hon. Member for West Denbighshire (Colonel Cornwallis West) —that if there were hardships and injustice in Wales, it was constantly occasioned by investors in land in Wales. Strangers came to Wales, put their money in land as a mere investment, and often acted in the harshest of manners. If hon. Gentlemen opposite were not aware of such cases, he and his hon. Friends could furnish them with plenty of them. No doubt confidence in capital was a very important thing for any industry; but what was wanted in Wales was not to give confidence to capital, but to give confidence to industry. How could there be any confidence in the agricultural industry under a system of yearly tenancy, and of competitive rent exaggerated to the highest point by the necessities of the people? That the competition for rent was exaggerated to the highest point in Wales, the House of Commons could easily satisfy itself upon if it would only take the trouble to inquire. Enough had been said about severance between the people and the landowning class—enough, for this evening, at any rate, but it was as well the House should consider, for a moment, what was the position of a Welsh speaking farmer ousted from his holding. A Welsh speaking farmer had absolutely no other resource open to him in Wales; he could not go out of Wales; he was simply turned out on the road side. If the landlords chose to remit the study of the question of fair rent to agents, if they would not look into the question of rental for themselves, the result inevitably must be that the country must become over rented as it was now. Upon the question of rental it was as well to point out that in Wales the rise of rent had been altogether exceptional. As the right hon. Gentleman the Member for East Denbighshire (Mr. Osborne Morgan) had said, Wales was a pastoral country, and depended largely on wool and mutton. The opening up of railways in Wales brought the sheep-farming industry very rapidly to the front. Undoubtedly it gave a great stimulus to that industry, because it secured to farmers a sale for their mutton as well as for their wool, and this led to a very large rise in rents. It could be shown, to the satisfaction of the House, that the rise in rents of some hill farms in Wales was nearer 100 per cent than 35 or 40 per cent. He could adduce a multitude of cases where the rise had been far greater than 35 or 40 per cent, but he admitted that they would be isolated cases. All these facts, however, a Royal Commission would soon discover. There was unquestionably in Wales a state of things which required the serious attention of Parliament. If Parliament would not attend to this matter when they had before them clear evidence upon which to go, there was only one course for the people to adopt. If there was no other method of securing an adjustment of rent, and a better system of tenure than that of combination on the part of the tenants, that combination must be and would be sooner or later brought about. He and his hon. Friends liked agitation so little that they did not at all desire to see this combination stimulated, and it was for that reason mainly that they took the earliest opportunity of appealing to the House to seriously consider the case of Wales, and not to invite Wales to become in agricultural revolution a half-way house between Ireland and England.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) said, that hon. Members had talked of the land-hunger in Wales and of the extraordinary competi-

tion for land which prevailed there. But did hon. Gentlemen speak from experience or were they only echoing an old Irish cry? Mr. Doyle, in his excellent Report to the Royal Commission of 1882, said, that restricted competition for farms in Wales compelled owners in many cases to accept undesirable tenants—men without skill, enterprize, or capital. How, then, could hon. Members speak of land-hunger when persons who had inquired into the subject spoke of the want of competition? Mr. Doyle had shown that the almost exclusive use of the Welsh language gave Welshmen, especially in remote parts, almost an exclusive monopoly of land-holding, and that they entertained a great jealousy of strangers. But the right hon. Member for East Denbighshire (Mr. Osborn Morgan) complained that some of the landlords did not know Welsh; he must remind the House that the right hon. Gentleman himself could only communicate with his Welsh constituents through an interpreter. There were two sorts of farmers in Wales—farmers of land and farmers of the platform. The hon. Member who moved the Amendment was one of the farmers of the platform; he had never had anything to do with land; his occupation was of a very different character. The leaders of this Welsh agitation were persons connected with the Press. They had heard a good deal about politics and religion in this debate. A farmer did not make his farm pay by politics, nor yet by religion, but by a knowledge of agriculture. The landowners, who were the real friends of the farmers, had reason to complain that they got no assistance from politicians in anything they did to help the farmers. He did not wish to minimize the misfortunes of Wales, but the reason of their existence was a very simple one. They were due to bad seasons, high rates, foreign competition, and professional agitators. According to the *Land Agents' Record*, which had been frequently referred to, people were afraid to invest money in land. What was necessary was to restore confidence to all classes of the people, and that could never be done so long as some hon. Members encouraged violence and class hatred. The payment of rent was not the cause of the Welsh farmers' misfortunes. There were in Wales a large number of freeholders, some 50,000, and they were a great deal worse off than the tenants. The hon. Member for Merionethshire made a whole string of statements without producing any evidence to support them. He would, however, give a few figures in support of his case. In 1862 the profits of the farmers, as appeared from the returns under Schedule B of the Income Tax, in the 28th Report of the Inland Revenue, were £2,659,000; in 1876 £3,183,000; and in 1883-4 £3,244,000; so that in the course of those years there was a continuous increase. Again, from the local taxation returns 1884-5, it appeared that the rateable value of property had increased in every county but one, and the last Return of agricultural statistics for 1886-7 showed that the number of acres under corn and under green grass had increased, that the number of horses, sheep, and pigs had increased, and that the land under cultivation had increased. In fact, everything had increased but cattle, which had decreased to a small extent. This was an organized and factitious agitation. A year ago there was a great meeting held at Rhyl to inaugurate a Land League for Wales, and placards were issued headed "Farmers, awake!" and calling on farmers to attend. They, however, did not, and one Radical newspaper the next day had to lament that "Farmers were conspicuous by their absence," while another charged Welsh farmers with "cowardice and servility." The fact was that there was only a minority in each constituency in favour of this agitation, but this minority had to be satisfied, and so as to satisfy them hon. Members opposite were bound to make a hubbub in the House. But in so doing they did not represent the majority of the Welsh people. There was a split among the agitators themselves. In Denbighshire a counter association to the National Radical Federation had been started, in which the hon. Member for Merionethshire took a leading part.

MR. T. E. ELLIS said, he was not even a member of the counter association.

MR. STANLEY LEIGHTON said, at any rate, there was a counter association, and serious differences of opinion

existed even amongst the Radical Members themselves on this subject.

MR. BOWEN ROWLANDS (Cardiganshire) said, the hon. Gentleman who had just sat down seemed to possess more wrong information on this subject than he could have believed possible; and between this inaccurate information and the tortuous windings of his speech had effectually concealed from the House the course of what he (Mr. Rowlands) supposed was intended for argument. He was sorry that the hon. Member had spoken of a factitious agitation and described the Welsh Members as agitators. He could not see the logic of the argument that their action was dictated by a desire to please their constituents, and that, nevertheless, they did not really represent their constituents in this matter. The hon. Member had made assertions without proving them. He had, it was true, quoted from the Report of Mr. Doyle; but, as had already been shown, the inquiry upon which that Report was founded was conducted by a person who knew nothing about Wales, and who obtained information from Poor Law clerks who were not competent to give it. The difficulties of the situation in Wales could not be settled by mere temporary reductions of rent. In order to inspire the tenants with that confidence which was essential for the successful practice of agriculture, rents must be permanently reduced or the land must be revalued and security of tenure with freedom of sale assured to the cultivators of the soil.

THE POSTMASTER GENERAL (Mr. RAIKES) (Cambridge University): This has been an interesting debate to those who take any particular interest in the Principality of Wales; but I think it has been shorn of what might have been its most interesting feature, and reduced rather to the position of "Hamlet" with the principal figure in that play omitted. We are all aware that on the Front Bench opposite generally sits that eminent Member of this House best qualified to advise his own followers on the question of land tenure in Wales, and I think we must all regret that the "Squire of Hawarden" has not thought fit to give his followers that advice he might have given on this interesting subject. But in his absence we must do the best we can. I hope the hon. Gentleman the Member for Merionethshire (Mr. T. E. Ellis), who brought on this Motion in a speech which, I think, was both moderate and circumspect, will understand that on this side of the House, and certainly with Her Majesty's Government, there is at least as full sympathy with all the trials and difficulties that have arisen out of the depression in agriculture as he or any of his Friends can claim to show. I should be sorry it should be supposed that, in opposing this Motion, the Government are acting with any want of sympathy with a class so entirely deserving of it as the farmers of Wales are, no less than those of England. The hon. Member's speech was both moderate and circumspect, extremely moderate in comparison with utterances of advocates of agricultural changes outside this House; and he was extremely circumspect in his instances, for he did not refer to any particular case in the course of his argument, with the exception of one annonymous landlord in Cardiganshire. But the House should not be left altogether ignorant of the sort of language used in connection with this subject by orators who speak with more freedom and less responsibility than Members when addressing this House. I dare say hon. Members on both sides may have seen a letter which appeared in *The Times* of the 18th of the present month, and signed by Mr. Gee, President of the Land League of Wales, or one of the Land Leagues of Wales, for I gather there are more than one. In this letter the writer defines the attitude of himself and his friends in language which deserves the attention of the House of Commons. Mr. Gee referred to an occasion when he was reported to have spoken about "rotten landlords," and as he was anxious to disclaim this soft impeachment, he wrote to *The Times* to say that he did not speak of "rotten landlords," but of "rotten land laws." That is a very easy mistake for a reporter to make; but as Mr. Gee goes on to point out that he addressed his audience in the Welsh tongue, it does not seem quite so easy to understand how the reporter fell into the error; and when he further goes on to clinch his argument, or, as I should say, judiciously forgets to clinch his argument, by any reference to the fact

that some persons among his audience cried out "Shoot them!" he wisely disregards the consideration that persons who desire to shoot usually select something more tangible to shoot at than laws. However, Mr. Gee goes on to say what was the language he used, and these are the words he employs. He said—

"The changes advocated by the Welsh Land League will of necessity cause great disturbance among landlords and their families, but that no social revolution of the kind, however grave and unpleasant it might be, is sufficient reason why these reforms should not be effected."

He also stated, he says—

"That these changes should be effected by Constitutional means, but should these means fail, the responsibility will rest on our opponents if a revolution of another kind should take place, as it was impossible the country could continue subject to these oppressive laws for many years longer."

Well, I give this language, not only because it is well that Parliament should be made aware of the sort of propaganda going on in Wales, but to do credit to the very different tone of the hon. Member for Merionethshire, who, in introducing his Motion to-night, "roared as gently as any sucking dove." Mr. Gee goes on to say what is included in his programme. He wants a Land Court established, with a sliding scale of rents, fixity of tenure, compensation for improvements, State aid to tenants for the purchase of holdings by loans spread over 50 years, the abolition of primogeniture and entail, the enfranchisement of leaseholders, the transfer of royalties to the Crown—that has not been, I think, a very popular thing in Wales—the abolition of the Game Laws, the revaluation of tithe rent charges, free rivers, paid Members of Parliament—and, of course what seems to be most important of all, the Disestablishment and Disendowment of the Church. This is a large programme, and I will not now attempt to discuss the various items in it; but I mention them to show that when the hon. Member comes with an extremely innocent-looking Motion inviting the attention of the Government to legislation to meet the agricultural depression in Wales, a great many people who act with him, and whose spokesman in the House he is presumed to be, attach a great deal more meaning to the Motion than he has given in his colourless speech in introducing it. The hon. Gentleman went, first of all, to the Commission of 1879, and referred to the Report of Mr. Doyle. Now, I do not wish, at this hour, to detain the House by following the hon. Member on the various objections he took to that Report—and, indeed, we have been told by the hon. and learned Member for Cardiganshire (Mr. Bowen Rowlands), that the Report is only worthy of consideration when it expresses his view, not when it expresses the view of anybody else—but the hon. Member mentioned in connection with the Report that the late Lord Penrhyn—who we may accept as one of the best landlords that ever filled that position in Wales or any other country—the hon. Member himself did full credit to his memory—that the late Lord Penrhyn used the phrase "hereditary tenantry." What is the meaning of a phrase of this sort? It was taken up by the hon. Gentleman, who made a great deal of it. Does it point to bad relations between landlord and tenant? Does the fact that tenants occupied holdings on which their fathers were born and which their forefathers have occupied for centuries, does that point to the existence of so much bad blood, the absence of sympathy and want of cordial relations between landlord and tenant, with which, according to hon. Members, land tenure in Wales is cursed? I should say that, as regards the little hill farmers who hang on to their holdings with the most narrow means, with the greatest difficulty scraping together the means for their frugal existence, who cling to their position in times of the greatest difficulty for landlord and tenant, this long hereditary tenure of farms is as good testimony as we can possibly have of the friendly and cordial relations that from time immemorial have existed between landlord and tenant. Then a curious point came out in the speeches of the hon. Member and others who followed him. I always like to see a man's true nature appear through the artificial layer circumstances impose upon it. I believe the hon. Member believes himself to be a staunch Free Trader, yet he actually told us that one of his suggestions for improving the condition of Welsh farmers was that Englishmen should be prevented from competing for

the purchase of land in the Principality! [Mr. T. E. Ellis: Not at all.] Yes. Did he not say that tenants should have pre-emption? What is that but preventing the other side coming in? If you say that two parties may compete, but on the condition that one of them shall secure occupation, you rather neutralize the value of the competition on the other side. I do not think that anyone would care to engage in a competition if he knew that his opponent would be certain to get the lot when the auctioneer knocked it down. We have been told that it is a great hardship that a premium is put upon the purchase of an estate when it comes to the hammer because wealthy Englishmen bid. The hon. Member is a friend to the people of Wales; but he is actually prepared to exclude from residence in Wales, or from the rights of proprietorship and occupation there, the very men who fertilize its barren soil by bringing in English capital and English custom. Well, I never heard from any Gentleman who professed to be a popular Representative a more extraordinary panacea for the ills of his country than this proposal. We were told in one breath that tenants were so anxious to purchase that they were prepared to give fancy prices for property; but then the next moment we were told that the tenants were all, without exception, insolvent. We were told that these men, who were prepared to give for the land more than it was worth, were actually in a position of such universal bankruptcy that they were unable to meet their most ordinary engagements. I leave these arguments to meet each other. I do not see that he can maintain them both, and the hon. Member is welcome to the use of either to the exclusion of the other. We have been told, too, this is not simply an agricultural question, and, in fact, there has been very little said on the agricultural aspect of it. The hon. and gallant Member for West Denbighshire (Colonel Cornwallis West), it is true, did endeavour to treat it as an agricultural question; but although there have been casual allusions to it in the speeches of hon. Members, we have been constantly treated to the old story of the necessary separation of landlord and tenant by language, religion, and politics. Well, of course, I do not deny that it is matter of regret that landlords and tenants in Wales so little speak in the same language, and I make the admission frankly that landlords would do better if they did speak the Welsh language. I think it is extremely desirable that in an age when a greater sense of the responsibility of property is growing up that landlords should be in a position to talk to their tenants in the vernacular. More and more I think this will be done. So, also, as regards religion, it is unfortunate that landlords and tenants should be separated in attending places of worship. But I have always thought that in this there is much that is creditable to both parties. It is creditable to the independence of the tenants who, we are told, on the authority of Radical papers, are reduced to a condition so servile that they have not the courage of their opinions, that they never shrink from following that form of religion which is consonant with their conscientious convictions. Although, as a rule, landlord and tenants go to different places of worship, each deserves equal credit for going to the place which he believes is on the whole best suited to his own form of faith. And then as regards politics. The Welsh are, we know, a very impetuous race, and they take the keenest interest in the events of the day. They are extremely intelligent and quick to follow the political movements of the time. Nothing, then, is more likely than that differences of political opinion should arise. But admitting all these facts, what possible connection have they with agricultural tenure? What in the world is there to connect this question with acquiescence with the Thirty-Nine Articles, the expediency of Free Trade, or even with differences which prevail on the Irish policy; or what is there about the bilingual difficulty which should lead this House to make a new and separate agrarian law in regard to one integral part of the Kingdom? The conditions under which land is held are conditions that have grown out of old custom over a long time, and they are equal in Wales and England. There is a great deal of human nature in the Welshman, and he is not so unlike the Englishman as he is said to be, and I think you will find that there is no practical reason why, if

you make a change in the relations of landlord and tenant in Wales, it should not equally apply to the relations between landlord and tenant in England. I believe the House would do very poor service to Wales if it made Wales the second subject of an experiment such as had been made in Ireland, if it were to extinguish what I believe to be the natural, friendly, and reasonable relations between landlord and tenant in Wales by attempting to legislate on lines which have already proved so disastrous in the Sister Island. We were told that until a few years ago rent was held to be as sacred by the tenant as by the landlord in Wales; and I will go further and say I think rent is at the present time as sacred in the eyes of the tenant as of the landlord. I think, in the enormous majority of cases in Wales, the Welsh tenant is quite prepared to pay his rent as far as he can. I think he is extremely honest in his relations with his landlord; and, on the other hand, I think there is an equal disposition to fairness on the part of the landlord, who has been ready and willing to make such abatements as appeared necessary in view of the depressed state of agriculture at the time. I cannot quite accept the speech of the hon. Member for the Rotherham Division of the West Riding of York (Mr. A. H. Dyke Acland), who is also, I believe, Bursar of Balliol College, and who, I think, speaks of the relations between landlord and tenant from the point of view of a College Bursar—the most unfortunate phase of the relations that exist in any part of the Principality between landlord and tenant. The hon. Member, who has lived for some time in Wales, gave us with the greatest care the result of his own experience, and he drew a very painful picture of what he believed to be the relations between landlord and tenant. I am quite ready to admit that in the case of Corporations, necessarily an absentee proprietorship, it is impossible to cultivate those cordial and friendly relations that spring up between man and man in the position of landlord and tenant, and it is extremely probable that the Bursar of the College found there was not that spontaneous cordiality that meets any gentleman who acquires property there. I do not myself speak as a landlord in Wales; but I live in Wales, and have lived there not quite so long, perhaps, as my right hon. Friend opposite (Mr. Osborne Morgan), but very nearly. I know something of the Welsh people from the point of view even of a landlord on a small scale, and I can only say that I never found the slightest difficulty in dealing with my tenants on account of difference in language, politics, or religion. If I may do so without being open to a charge of egotism, I would relate an incident from my personal experience that will illustrate in some degree what are the relations between landlord and tenant, even when the landlord is what some hon. Members call an alien. A few years ago I had a tenant on a small farm, a widow, and she came to me in great trouble and was very anxious that I should put in a distress for the rent. I said—"Surely this is one of the most extraordinary requests ever made. I do not believe the rent is due." "Oh, yes; it is," she said—"it was due last week, and I have come to ask you to put in a distress." Then, when I came to inquire the reason, she told me that the village usurer—he happened also to be a popular Nonconformist preacher—had a bill against them. Years before they had borrowed £20 from him, and, though he had been paid twice over, yet still he made a claim for more than the original sum; "and he is sure," said she, "to put in an execution if you do not protect your tenant." Well, I did what I could. I went to the usurer, and, after listening to some bad language, got him not to press his claim. I only mention this to show the sort of relation that exists in my part of Wales, when a tenant of the poorest, feeblest class comes to the landlord as his natural protector and friend in any difficulty that may threaten him. I do not wish to detain the House further. I only wished to show that there is no want of sympathy on the part of the Government, and those who sit on this side, with the difficulties that are allowed to have arisen from agricultural depression; but we believe, at the same time, that nothing could be more fatal to the true interest of Wales, and especially of Welsh agriculturists, than for us to yield to an agitation got up by two or three incendiary newspapers, however mildly the case may be presented to the House.

Mr. BRYN ROBERTS (Carnarvonshire, Eifion) said, he would only make a very few observations on the speech of the right hon. Gentleman the Postmaster General (Mr. Raikes). The right hon. Gentleman admitted to the full the differences of race, language, politics, and religion that existed in the relations between landlord and tenant; but he asked what possible connection could there be between these matters and agriculture? The right hon. Gentleman could not have paid much attention to the speeches delivered, because that connection was shown in the clearest manner possible. The English land system was such that it could not be applied with success unless there was an entire community of feeling between landlord and tenant on these subjects; because the power given to the landlord was so omnipotent that it could be used, and was used, to the injury of the tenant where these antagonisms prevailed. This was the strong ground for land tenure reform in Wales rather than in England. The right hon. Gentleman said he never found any difficulty; but though he actually lived in Wales he was only just within the Welsh Border, where not a word of Welsh was spoken, and where the people were, practically speaking, English, though Welsh by descent, and geographically inhabitants of Wales. Such also was the case with the hon. Member for the Denbigh Boroughs (Mr. Kenyon), who lived on the Border, where Welsh views, habits, and language did not exist.

Mr. KENYON said, he begged to be allowed to correct the hon. Member. He had spoken not of his own locality, but also of the constituency he represented in the very heart of North Wales.

Mr. BRYN ROBERTS said, he only spoke of where the hon. Gentleman resided. He only wished to say, from what he knew of the Welsh farmers, that they would be satisfied with a Bill of a very moderate character—a Bill that he was certain no reasonable landlord could take exception to. They did not want even complete fixity of tenure, but only reasonable protection against capricious evictions. They would require also fair rents, and this no landlord would object to. No landlord would confess he desired other than a fair rent. A Bill conceding these two points would give complete satisfaction. The right hon. Gentleman referred to the language of orators out-of-doors; and if strong language was used by a few people, was it not a strong argument for doing something to meet the views of the Representatives of the people in the House, before agitation increased and the violent language of the few was generally adopted?

Question put.

The House *divided* :—Ayes 146; Noes 128: Majority 18.—(Div. List, No. 182.)

Main Question again proposed, "That Mr. Speaker do now leave the Chair."

PUBLIC WORKS (IRELAND).

OBSERVATIONS.

Colonel NOLAN (Galway, N.) said, he had given Notice to call attention to a most important subject, the Report of the Royal Commission which was appointed to inquire into Drainage, Harbours, and Railways in Ireland. It was a question of which he might say the Government had lived upon it for the last two years. There was a solemn promise from the noble Lord the late Chancellor of the Exchequer (Lord Randolph Churchill) that great things would be done for Ireland by this Commission, or, at any rate, if the Commission reported the possibility of doing great things, the Government would undertake them. This was 22 months ago, and it was a promise not of the noble Lord as Member for South Paddington, but as Chancellor of the Exchequer and Representative of the Cabinet. Of course, it was not possible at that hour to go into the subject properly; but he would point out that the Commissioners had made a valuable Report recommending that great changes should be made in the railway system; that the present system of guarantees was absolutely futile; that money offered at 2 per cent was not worth more than 1½ per cent; and they also made recommendations for deep sea harbours in connection with railways, and that drainage should form part of the scheme. Of the latter he need not say much, as the Government were going to introduce Bills on the subject. He was afraid they

would be useless measures, for the Government were attempting the most difficult task in engineering to drain rivers and make them navigable at the same time. It might be easy to drain a river, not so easy to make it navigable, but to combine the two was one of the most difficult engineering feats in the world. Unless the Government would find a substantial part of the money, it was not likely to be a profitable undertaking for the Irish taxpayers. It was of no use attempting to explain this subject, which was of a somewhat technical character, to-night; but it was the duty of the Government to say at what time would they allow this Report of the Commission to be discussed; would they bring it forward themselves, or allow Irish Members to bring it forward in some fashion? He was afraid the Government were purposely leaving the question of arterial drainage to the end of the Session. Some £3,000,000 or £4,000 000 were to be transferred to the relief of local taxation in England, and what was presumed to be a proportionate amount was to be allocated to Ireland; but he was afraid that various Commissions would try to secure much of the money that ought to go to the relief of local rates as in England. He was afraid that at the end of the Session the Drainage Bills would be rushed through without proper discussion, the engineers' reports would not be properly considered, and this money would be diverted from its proper destination, the lightening of the rates, and turned to some such purpose as this drainage scheme. However, what he desired now was to elicit from the Government a statement of when they would allow this important Report to be discussed, and state what they proposed to do to redeem the pledges of the noble Lord when he held Office as Chancellor of the Exchequer.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR) (Manchester, E.) said, he scarcely anticipated that the hon. and gallant Member would have raised a discussion on this question, and the time was not favourable to it. As the hon. and gallant Member was aware, he (Mr. A. J. Balfour) proposed to bring forward the Drainage Bills on Monday, and it would then be his duty to submit the Government proposals on this point. But he could assure the hon. and gallant Gentleman now that the Government did not propose to allocate any part of the sum to be given for the relief of local taxation in Ireland to drainage purposes. As to the other matters dealt with in the Report of the Royal Commission, he must remind the hon. and gallant Member that in the present condition of Public Business it was not possible to deal with more than this portion of public works. If they succeeded in passing three Drainage Bills, that, he thought, was very well for one Session, and they could hardly be expected to do more.

COLONEL NOLAN: Oh, yes. Railways.

MR. A. J. BALFOUR said, if the hon. and gallant Gentleman thought that more could be done than passing three such Bills brought in in the month of July, he was of an extremely sanguine disposition. But he reminded the House that the Commissioners themselves had given some opinion as to the comparative importance of the various subjects on which they reported. Of the three subjects they treated—drainage, harbours, and railways—they were unanimous in placing drainage first. Under these circumstances, the Government did not think they would be justified in running counter to the opinion of the Commissioners, their advisers in the matter; and on that ground the Government had determined to deal with drainage before touching harbours and railways.

MR. EDWARD HARRINGTON (Kerry, W.) said, he appreciated the skill with which the right hon. Gentleman had talked on the matter for a few minutes, and really said nothing about it. He could not agree with the right hon. Gentleman that the Commissioners made any such distinction in the subjects they referred to. Let the right hon. Gentleman read the Report with an Irish eye, and he would not find any such classification as he represented. True, drainage happened to be mentioned first, but not as first in importance. For his own part, he did not much believe in improvement of land by drainage for the Irish landlords, and he hoped some day to convince his hon. Friends that it amounted to taxing the general community for the benefit of a few indivi-

duals. But in the matter of increasing accommodation for the fishing industry, and bringing railways into connection with harbours, there was work that would be of great material benefit to the country. He hoped that the opportunity would come for a more adequate discussion of the subject. He had but inadequately expressed his own view; but in that respect he had only imitated the right hon. Gentleman the Chief Secretary for Ireland.

It being One of the clock, Mr. Speaker adjourned the House without Question put till *Monday* next.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCCXXVII.

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When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

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l. Read 1ª * (*M. Salisbury*) *June* 28
Read 2ª *; Committee negatived *June* 29

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c. Read 1° * *June* 14 [Bill 298]

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c. Bill withdrawn * *June* 18 [Bill 177]

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l. Read 1ª * (*M. Salisbury*) *June* 26 (No. 179)
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c. Bill withdrawn * *June* 25 [Bill 26]

Employers' Liability for Injuries to Workmen Bill
(*Mr. Secretary Matthews, Mr. Attorney General, Mr. Ritchie, Mr. Forwood*)
c. Moved, "That the Order for going into Committee on the said Bill be discharged, and that the Bill be referred to the Standing Committee on Law, &c." (*Mr. Stuart-Wortley*) *June* 14, 226; Question put, and agreed to [Bill 145]

Enniskillen, Bundoran, and Sligo Railway Bill [Repayment of Deposit]
c. Considered in Committee *June* 13, 2
Moved, "That it is expedient to authorize the repayment of the sum of Three thousand two hundred and seventy-five pounds Three pounds per Centum Consolidated Annuities, being the sum deposited in respect of the application to Parliament for 'The Enniskillen, Bundoran, and Sligo Railway (Donegal Extension) and Enniskillen and Bundoran Extension Railway (Abandonment) Act, 1879,' which in pursuance of section thirty-six of that Act is now forfeited, together with any interest or dividends thereon;" Question put, and agreed to
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Gas and Water Provisional Orders Bill
(*Sir Michael Hicks-Beach, Mr. Jackson*)
c. Considered * *June* 13 [Bill 247]
Read 3° * *June* 14
l. Read 1ª * (*E. Onslow*) *June* 15 (No. 156)
Read 2ª * *June* 28

Gas Provisional Orders (No. 1) Bill
(*Sir Michael Hicks-Beach, Mr. Jackson*)
c. Considered * *June* 25 [Bill 244]
Read 3° * *June* 26
l. Read 1ª * (*E. Onslow*) *June* 26 (No. 180)
Read 2ª * *June* 29

Gas Provisional Orders (No. 2) Bill
(*Sir Michael Hicks-Beach, Mr. Jackson*)
c. Read 3° * *June* 13 [Bill 245]
l. Read 1ª * (*E. Onslow*) *June* 14 (No. 148)
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GEDGE, Mr. S., *Stockport*
Criminal Law and Procedure (Ireland) Act, 1887, Res. 1339
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GERMANY
LORDS
His Imperial Majesty the Late German Emperor, Notice of Motion, The Prime Minister and Secretary of State for Foreign Affairs (The Marquess of Salisbury) *June* 15, 232
Moved, "That an humble Address be presented to Her Majesty to express the deep sorrow of this House at the great loss which Her Majesty has sustained by the death of His Imperial Majesty Frederick, German Emperor, King of Prussia, and to condole with Her Majesty on this melancholy occasion
To assure Her Majesty that this House will ever feel the warmest interest in whatever concerns Her Majesty's domestic relations, and to declare the ardent wishes of this House for the happiness of Her Majesty and of Her family" (*The Marquess of Salisbury*) *June* 18, 383; on Question, agreed to, nemine dissentiente
Ordered, That the said Address be presented to Her Majesty by the Lords with White Staves
Moved to resolve, "That this House do condole with Her Imperial Majesty Victoria, German Empress, Queen of Prussia, Princess Royal of Great Britain and Ireland, on the great loss which she has sustained by the death of His Imperial Majesty" (*The Marquess of Salisbury*); on Question, agreed to, nemine dissentiente
Ordered, that a message of condolence be sent to Her Imperial Majesty, and that the Lord

[*cont.*

GERMANY—*cont.*
Chancellor do communicate the said message to Her Majesty's Ambassador at Berlin, with a request that he will attend the Empress Victoria for the purpose of conveying it to Her Imperial Majesty
Moved to resolve, "That this House desire to express their profound sympathy with the Imperial and Royal Family and with the Government and people of Germany" (*The Marquess of Salisbury*); on Question, agreed to, nemine dissentiente
Her Majesty's Answer to the Address of Condolence reported *June* 25, 1103

COMMONS
Health of His Imperial Majesty Frederick William, Question, Mr. Howorth; Answer, The First Lord of the Treasury (Mr. W. H. Smith); Observations, Mr. W. H. Smith *June* 14, 123
Death of His Imperial Majesty, Observations, The First Lord of the Treasury (Mr. W. H. Smith), Sir William Harcourt *June* 15, 257
Moved, "That an humble Address be presented to Her Majesty, to express the deep concern and sorrow of this House at the great loss which Her Majesty has sustained by the death of His Imperial Majesty Frederick William, German Emperor, King of Prussia, and to condole with Her Majesty on this melancholy occasion, and to pray Her Majesty that She will be graciously pleased to express to His Majesty, the present Emperor, the profound sympathy of this House with the Imperial and Royal Family, and with the Government and People of Germany. To assure Her Majesty that this House will ever feel the warmest interest in whatever concerns Her Majesty's domestic relations, and to declare the ardent wishes of this House for the happiness of Her Majesty and of Her Family. That the said Address be presented to Her Majesty by such Members of this House as are of Her Majesty's Privy Council. That this House doth condole with Her Imperial Majesty Victoria, German Empress, Queen of Prussia, Princess Royal of Great Britain and Ireland, on the great loss which she has sustained by the death of His Imperial Majesty. That a Message of Condolence be sent to Her Imperial Majesty, and that Mr. Speaker do communicate the said Message to Her Majesty's Ambassador at Berlin, with a request that he will attend the Empress Victoria for the purpose of conveying it to Her Imperial Majesty" (*Mr. W. H. Smith*) *June* 18, 457; after short debate, Address agreed to
Her Majesty's Answer to the Address reported *June* 25, 1112

GILHOOLY, Mr. J., *Cork, W.*
Ireland—Questions
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Criminal Law and Procedure Act, 1887—Admission to Bail, 804, 805
Irish Land Commission—Application for Fair Rents in Bantry District, 583, 584

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German Emperor, Death of, Motion for an Address, 459
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Evidence on Charges of Conspiracy, 95, 96;—Thomas Barry, 429
Imprisonment of Mr. Dillon, M.P. 825, 826, 1120
Ireland—Criminal Law and Procedure Act, 1887, Res. 1170, 1171, 1307, 1312, 1314, 1325, 1330, 1336, 1337, 1370, 1372, 1373, 1374, 1375, 1376, 1377
Ireland—Magistracy—Messrs. Gardiner and Redmond, R.M., Castlemartyr, Personal Explanation, 790
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GOLDSWORTHY, General W. T., *Hammersmith*
Army Estimates—Warlike and other Stores, 884

GORST, Sir J. E. (Under Secretary of State for India), *Chatham*
Ceylon—Gold Discoveries, 1712
Civil Service—Registration of Retired Civil Servants, 1547
East India (Contagious Diseases Acts), 1727
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GRAHAM, Mr. R. C., *Lanark, N.W.*
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Appropriation of Funds—The Seamen Pensioner Reserve, Question, Sir William Crossman; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 21, 824; Question, Captain Price; Answer, The First Lord of the Admiralty (Lord George Hamilton) *June* 25, 1131
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GRIMSTON, Viscount, *Hertfordshire, St. Alban's*
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GUNTER, Colonel R., *Yorkshire, W.R., Barkston Ash*
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Habitual Drunkards Act (1879) Amendment (No. 2) Bill
(*V. Gordon, E. Aberdeen*)
l. Read 2ª *June* 28, 1513 (No. 138)

HALDANE, Mr. R. B., *Haddington*
Ecclesiastical Assessments (Scotland), Res. 697

HALL, Mr. C., *Cambridge, Chesterton*
Local Government (England and Wales), Comm. *cl.* 3, Amendt. 499

HALSBURY, Lord (Lord Chancellor)
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HALSEY, Mr. T. F., *Herts, Watford*
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HAMBRO, Colonel J. C. T., *Dorset, S.*
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HEALY, Mr. M., *Cork*
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Ireland—Questions
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HEALY, Mr. T. M., *Longford, N.*
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HENEAGE, Right Hon. E., *Great Grimsby*
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HERRIES, Lord
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Herring Fishery (Scotland) Bill
(*Colonel Malcolm, Mr. Finlay*)
c. Bill withdrawn * *June* 25 [Bill 75]

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High Courts in India Bill [H.L.]
(*The Viscount Cross*)
l. Presented; read 1ª * *June* 26 (No. 184)

HILL, Right Hon. Lord A. W. (Comptroller of the Household), *Down, N.*
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HILL, Colonel E. S., *Bristol, S.*
Navy Estimates—Victualling and Clothing for the Navy, 923

HILL, Mr. A. S., *Staffordshire, Kingswinford*
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HINGLEY, Mr. B., *Worcestershire, N.*
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HOARE, Mr. E. B., *Hampstead*
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HOARE, Mr. S., *Norwich*
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HOBHOUSE, Mr. H., *Somerset, E.*
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HOME DEPARTMENT—Under Secretary of State (*see* WORTLEY, Mr. C. B. STUART-)

Hospitals—Victoria Park Hospital for Consumption—Alleged Illegal Dissection
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(*The Marquess of Salisbury*)
l. Presented; read 1ª * *June* 18 (No. 162)

House of Lords (Life Peers) Bill
(*The Marquess of Salisbury*)
l. Presented; read 1ª, after debate *June* 18, 387 (No. 161)
Question, Earl Beauchamp; Answer, The Prime Minister and Secretary of State for Foreign Affairs (The Marquess of Salisbury) *June* 28, 1513

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Question, Mr. J. Rowlands; Answer, Mr. Tatton Egerton *June* 14, 93

HOWELL, Mr. G., *Bethnal Green, N.E.*
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HUNTER, Mr. W. A., *Aberdeen, N.*
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Imperial Defence
Bermuda—Cable Communication, Questions, Sir Edward Watkin; Answers, The Postmaster General (Mr. Raikes) *June* 6, 1275
Defence of Esquimault Harbour, Question, Observations, Lord Sudeley; Reply, The Secretary of State for the Colonies (Lord Knutsford) *June* 28, 1524
Fortified Ports—Entry of Foreign Ships of War and Transports, Question, Observations, The Earl of Carnarvon; Reply, Lord Elphinstone *June* 21, 785
The Admiralty and the War Office—Possibility of Invasion, Question, Sir John Colomb; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 14, 121
The Guns at Aden, Question, Mr. Ernest Beckett; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 18, 424

Imperial Defence—Organization of our Naval and Military System—Possibility of Invasion
Moved to resolve, "That having regard to the recent statements of His Royal Highness the Commander-in-Chief, of the Adjutant General, and of high naval authorities, as to our defective armaments, and having also regard to the increased armaments of foreign nations on sea and land, this House welcomes the proposals of Her Majesty's Government for an increase of our defensive means, and confidently looks to their forthwith taking such further measures as will give ample security to our Empire and just confidence to the country" (*The Earl of Wemyss*) *June* 29, 1677; after debate, Motion agreed to

INDIA—Secretary of State (*see* CROSS, Viscount)

INDIA—Under Secretary of State (*see* GORST, Sir J. E.)

INDIA (*Questions*)
Aden Harbour Trust, Question, Mr. T. Sutherland; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 22, 982
Circular No. 5, Issued by the Inspector General of Police, Bengal, Question, Mr. Slagg; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 21, 809
Frontier Defences—Rumoured Loan, Questions, Mr. Slagg; Answers, The Under Secretary of State for India (Sir John Gorst) *June* 14, 98
Hindoo Marriage Law—Rukhmabai's Case, Question, Observations, The Bishop of Carlisle; Reply, The Secretary of State for India (Viscount Cross) *June* 22, 941
Indian Budget, Questions, Mr. King, Mr. Bradlaugh; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *June* 22, 993
Irrawaddy Flotilla Company, Questions, Mr. Bradlaugh; Answers, The Under Secretary of State for India (Sir John Gorst) *June* 21, 802; *June* 25, 1126
Mr. J. T. Fernandez, Civil Engineer, Question, Mr. Picton; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 18, 443
The Sikkim Expedition—Military Operations—Deaths of Colonel Battye and Captain Urmston, Question, Sir Edward Watkin; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 28, 1545
The Uncovenanted Civil Service—Furloughs, Question, Mr. Mac Neill; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 18, 426
Pension Rules, Question, Mr. Mac Neill; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 11, 427
Payment of Pensions, Question, Mr. King; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 29, 1715
Water Supply at Rawul Pindi, Question, Dr. Tanner; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 25, 1132

India—East India (Contagious Diseases Acts)
Question, Mr. James Stuart; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 29, 1727

India—East India (Mr. William Tayler, late Commissioner of Patna)
Amendt. on Committee of Ways and Means *June* 15, to leave out from "That" add "in the opinion of this House, it is desirable, with a view to the settlement of a long-standing controversy as to the wrong stated to have been suffered by a meritorious servant of the Crown, that a Select Committee should be appointed to inquire into the case of Mr. William Tayler, late Commissioner of Patna" (*Sir Roper Lethbridge*) *v.* 322; Question proposed, "That the words, &c.;" after debate, Question put; A. 184, N. 20; M. 164 (D. L. 155)

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India—East India (Mr. William Tayler, late Commissioner of Patna)—cont.
Question, Sir Henry Havelock-Allan; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 18, 455; Question, Mr. J. M. Maclean; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 26, 1284; Questions, Sir Roper Lethbridge; Answers, The Under Secretary of State for India (Sir John Gorst) *June* 29, 1716

India and the Colonies, Trade of
Moved for, "Return showing the amount of trade between India and each of the Colonies on the one hand, and the following countries:—Equador, Greece, Italy, Montenegro, Paraguay, Portugal, Roumania, Salvador, Servia, Uruguay, during the year 1886" (*The Lord Stanley of Alderley*) *June* 21, 788; Motion amended, and agreed to

Intoxicating Liquors (New Licences) Bill
(*Sir William Houldsworth, Mr. W. F. Lawrence, Colonel Bridgeman, Mr. Hobhouse, Mr. Samuel Smith*)
c. Ordered; read 1° * *June* 25 [Bill 306]

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LEES, Mr. E., *Oldham*
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LEFEVRE, Right Hon. G. J. Shaw, *Bradford, Central*
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Criminal Law and Procedure (Ireland) Act, 1887, Res. 1229, 1236
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Legal Business of the Government
Moved, "That there be laid before this House Copy of the Report of the Committee appointed by the Treasury to inquire into the system of conducting the Legal Business of the Government" (*Mr. Jackson*) *June* 25, 1253; Question put, and agreed to; to be printed [No. 239]

LEGH, Mr. T. W., *Lancashire, S.W., Newton*
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c. Ordered; read 1° * *June* 29 [Bill 311]

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LLEWELLYN, Mr. E. H., *Somerset, N.*
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(*Sir Algernon Borthwick, Sir Albert Rollit, Mr. Lawson, Mr. Jennings, Dr. Cameron, Mr. John Morley*)
c. Committee; Report *June* 13, 3 [Bill 17]
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l. Read 1ª * (*L. Monkswell*) *June* 28 (No. 190)

Life Leases Conversion Bill
(*Sir Edmund Lechmere, Mr. Hastings, Sir John Puleston, Mr. Radcliffe Cooke*)
c. Bill withdrawn *June* 28, 1672 [Bill 99]

Limited Partnerships Bill [H.L.]
(*The Lord Bramwell*)
l. Presented; read 1ª * *June* 18 (No. 159)
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(*The Lord Ashbourne*)
l. Committee; Report *June* 22, 966 (No. 93)

LOCAL GOVERNMENT BOARD—President (*see* RITCHIE, Right Hon. C. T.)

LOCAL GOVERNMENT BOARD—Secretary to (*see* LONG, Mr. W. H.)

Local Government (England and Wales) Bill
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Local Government (Ireland) Provisional Orders (Ballymoney, &c.) Bill [H.L.]
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l. Committee * ; Report *June* 18 (No. 97)
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Local Government (Ireland) Provisional Orders (Bangor and Warrenpoint) Bill [H.L.]
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l. Royal Assent *June* 28 [51 & 52 *Vict.* c. xxxiii.]

Local Government (Ireland) Provisional Orders (Coleraine, &c.) Bill [H.L.]
c. Read 1° * *June* 14 [Bill 297]
Read 2° * *June* 19

Local Government (Ireland) Provisional Order (Dublin Markets) Bill [H.L.]
c. Read 2° * *June* 18 [Bill 291]

Local Government Provisional Orders Bill (*E. Brownlow*)
l. Read 3ª * *June* 14 (No. 113)
Royal Assent *June* 28 [51 & 52 *Vict.* c. xxxix.]

Local Government Provisional Orders (No. 2) Bill (*E. Brownlow*)
l. Read 3ª * *June* 14 (No. 114)
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Local Government Provisional Orders (No. 3) Bill (*Lord Balfour*)
l. Read 2ª * *June* 19 (No. 139)
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Read 3ª * *June* 25
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Local Government Provisional Orders (No. 4) Bill
(*Lord Balfour*)
l. Read 2ª * *June* 19 (No. 140)
Committee * ; Report *June* 22
Read 3ª * *June* 25
Royal Assent *June* 28 [51 & 52 *Vict.* c. lxii]

Local Government Provisional Orders (No. 5) Bill (*Mr. Long, Mr. Ritchie*)
c. Report * *June* 27 [Bill 265]
Considered * *June* 28
Read 3° * *June* 29
l. Read 1ª * *June* 29 (No. 192)

Local Government Provisional Orders (No. 6) Bill (*Mr. Long, Mr. Ritchie*)
c. Report * *June* 25 [Bill 266]
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l. Read 1ª * (*L. Balfour*) *June* 26 (No. 181)
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Local Government Provisional Orders (No. 7) Bill (*Mr. Long, Mr. Ritchie*)
c. Read 3° * *June* 13 [Bill 267]
l. Read 1ª * (*L. Balfour*) *June* 14 (No. 150)
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Considered * ; read 3° *June* 22
l. Read 1ª * (*L. Balfour*) *June* 22 (No. 172)
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c. Read 2° * *June* 18 [Bill 274]
Report * *June* 25
Read 3° * *June* 26
l. Read 1ª * (*L. Balfour*) *June* 26 (No. 182)
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Local Government Provisional Orders (No. 10) Bill (*Mr. Long, Mr. Ritchie*)
c. Report * *June* 21 [Bill 275]
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l. Read 1ª * (*L. Balfour*) *June* 22 (No. 173)
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c. Report * *June* 21 [Bill 276]
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l. Read 1ª * (*L. Balfour*) *June* 22 (No. 174)
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Local Government Provisional Orders (No. 12) Bill (*Mr. Long, Mr. Ritchie*)
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Local Government Provisional Order (No. 13) Bill (*Mr. Long, Mr. Ritchie*)
c. Read 2° * *June* 15 [Bill 287]

Local Government Provisional Orders (Gas) Bill (*L. Balfour*)
l. Read 2ª * *June* 19 (No. 142)

Local Government Provisional Orders (Highways) Bill
(*Mr. Long, Mr. Ritchie*)
c. Read 3° * *June* 13 [Bill 258]
l. Read 1ª * (*L. Balfour*) *June* 14 (No. 149)
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Local Government Provisional Order (Port) Bill (*Mr. Long, Mr. Ritchie*)
c. Read 3° * *June* 13 [Bill 259]
l. Read 1ª * (*L. Balfour*) *June* 14 (No. 151)
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Local Government Provisional Orders (Poor Law) Bill (*E. Brownlow*)
l. Read 3ª * *June* 14 (No. 115)
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Local Government Provisional Orders (Poor Law) (No. 2) Bill
(*E. Brownlow*)
l. Read 3ª * *June* 14 (No. 116)
Royal Assent *June* 28 [51 & 52 *Vict.* c. xlii.]

Local Government Provisional Orders (Poor Law) (No. 3) Bill
(*E. Brownlow*)
Read 3ª * *June* 14 (No. 117)
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Local Government Provisional Orders (Poor Law) (No. 4) Bill
(*L. Balfour*)
l. Committee * ; Report *June* 14 (No. 120)
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l. Committee * ; Report *June* 14 (No. 121)
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LYELL, Mr. L., *Orkney and Shetland*
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MAKINS, Colonel W. T., *Essex, S.W.*
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MALCOLM, Colonel J. W., *Argyllshire*
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MALLOCK, Mr. R., *Devon, Torquay*
Local Government (England and Wales), Comm. *cl.* 15, 1754

Malta—The New Constitution
Moved, "That an humble Address be presented to Her Majesty for Return of the amount of the annual contribution from the revenue of Malta for military purposes, and of the amount remitted directly or indirectly in drawbacks to the military authorities, with the view of ascertaining the possibility of applying these sums towards defraying the expenses of the Militia" (*The Earl De La Warr*) *June* 22, 958; after short debate, Motion withdrawn

MARJORIBANKS, Right Hon. E., *Berwickshire*
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Marriage Law—The Foreign Marriage Act
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Marriage with a Deceased Wife's Sister Bill
(*Mr. Heneage, Mr. Broadhurst, Mr. Burt, Mr. Charles Cameron, Mr. Jesse Collings, Mr. Herbert Gardner, Mr. Robert Reid, Mr. T. W. Russell*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 13, 75
Moved, "That it be an Instruction to the Committee that they have power to extend the scope of the Bill so as to include marriages between a woman and her deceased husband's brother" (*Mr. Walter M'Laren*); Debate adjourned [Bill 2]

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Metropolitan Commons (Farnborough) Provisional Order Bill
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c. Committee; Report; read 3° *June* 15, 320 [Bill 278]
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c. Read 2° * *June* 27 [Bill 110]

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[H.L.] (*The Lord Ker, M. Lothian*)
l. Read 2ª * *June* 28 (No. 145)

Pacific, Western, The—Expulsion of the Rev. John Jones from Mahé
Questions, Mr. Johnston; Answer, The Under Secretary of State for Foreign Affairs (Sir James Fergusson) *June* 18, 441

PAGET, Sir R. H., *Somerset, Wells*
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Private and Provisional Order Confirmation Bills
Ordered, That Standing Orders Nos. 72 and 82 be suspended for the remainder of the Session *June* 15
Evidence before Select Committees, Observations, Lord Clinton, The Earl of Kimberley; Reply, The Lord President of the Council (Viscount Cranbrook) *June* 26, 1257

Parliament — Elections (*Intervention of Peers and Prelates in Parliamentary Elections*)
Select Committee nominated *June* 29; List of the Committee, 1711

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Question, Colonel Nolan; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 21, 825; Question, Dr. Farquharson; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 29, 1728

SITTINGS AND ADJOURNMENT OF THE HOUSE

Moved, "That this House do now adjourn" (*Mr Jackson*) *June* 25, 1253; Question put, and agreed to

Ordered, That the proceedings on the Motion relating to "The Criminal Law and Procedure (Ireland) Act, 1887," if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order "Sittings of the House" (*Mr. W. H. Smith*) *June* 26

Moved, "That this House do now adjourn" (*Mr. Jackson*) *June* 28, 1673; Question put, and agreed to

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Questions, Mr. Osborne Morgan, Sir William Harcourt, Mr. Bradlaugh; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *June* 14, 123; Observation, The First Lord of the Treasury (Mr. W. H. Smith); Questions, Mr. Bradlaugh, Dr. Tanner, Mr. Stansfeld; Answers, Mr. W. H. Smith *June* 15, 321; Question, Dr. Farquharson; Answer, The Secretary of State for War (Mr. E. Stanhope) *June* 18, 455; Notice, The First Lord of the Treasury (Mr. W. H. Smith); Question, Mr. W. E. Gladstone; Answer, Mr. W. H. Smith *June* 25, 1147; Questions, Mr. Howorth, Mr. Bradlaugh; Answers, The First Lord of the Treasury (Mr. W. H. Smith) *June* 26, 1289; Questions, Mr. John Morley, Mr. Labouchere, Mr. T. E. Ellis; Answers, The Chief Secretary for Ireland (Mr. A. J. Balfour), The First Lord of the Treasury (Mr. W. H. Smith) *June* 28, 1574; Observations, The First Lord of the Treasury (Mr. W. H. Smith) *June* 29, 1729;—*Small Holdings Bill*, Question, Mr. J. Chamberlain; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 18, 452;—*The Bann, Barrow, and Shannon Drainage Bills*, Question, Mr. Arthur O'Connor; Answer, The Chief Secretary for Ireland (Mr. A. J. Balfour) *June* 18, 456

Notices of Motion and Orders of the Day

Ordered, That the Order for resuming the Adjourned Debate on the Motion relating to "The Criminal Law and Procedure (Ireland) Act, 1887," have precedence this day of the Notices of Motion and other Orders of the Day" (*Mr. W. H. Smith*) *June* 26

The Debates of this House—Length of Speeches, Question, Mr. Sydney Buxton; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 29, 1728

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Police Attendance, Question, Mr. O. V. Morgan; Answer, The Secretary of State for the Home Department (Mr. Matthews) *June* 25, 1129

The Reading Room, Questions, Mr. Henry H. Fowler, Mr. Addison; Answers, The First Commissioner of Works (Mr. Plunket) *June* 14, 118

Ventilation of the Ladies' Gallery, Question, Mr. Webster; Answer, The First Commissioner of Works (Mr. Plunket) *June* 26, 1265

Question

Private Bill Legislation—Evidence before the Joint Committee, Question, Mr. Hozier; Answer, The Lord Advocate (Mr. J. H. A. Macdonald) *June* 19, 582

PARLIAMENT—HOUSE OF LORDS

Sat First

June 19—The Lord Hatherton, after the death of his father

June 22—The Lord Hawke, after the death of his father

PARLIAMENT—HOUSE OF COMMONS

New Writs Issued

June 15—*For* Kent (Isle of Thanet Division), *v.* The Right hon. Edward Robert King-Harman, deceased

June 22—*For* Longford (South Longford Division), *v.* Lawrence Connolly, esquire, Chiltern Hundreds

June 28—*For* South Sligo, *v.* Edward Joseph Kennedy, esquire, Chiltern Hundreds

New Member Sworn

June 19—John Sinclair, esquire, *Ayr District of Burghs*

Parliamentary Elections

County Electors Act, 1888—*Declarations for Parliamentary Electors*, Question, Mr. Schwann; Answer, The President of the Local Government Board (Mr. Ritchie) *June* 15, 249;—*Declarations in Municipal Boroughs*, Question, Mr. Schwann; Answer, The President of the Local Government Board (Mr. Ritchie) *June* 25, 1128

Party Agents—Eligibility of Clerks of the Peace or County Treasurers, Question, Mr. P. Stanhope; Aswer, The Secretary of State for the Home Department (Mr. Matthews) *June* 26, 1279

Parliamentary Franchise (Extension to Women) Bill

(*Baron Dimsdale, Mr. Woodall, Sir Robert Fowler, Sir William Houldsworth, Sir Albert Rollit, Mr. Illingworth, Mr. Maclure, Mr. Stansfeld, Dr. Cameron*)

c. 2R. deferred *June* 26, 1418 [Bill 11]

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Parliamentary Under Secretary to the Lord Lieutenant of Ireland Bill
Question, Mr. Rendel; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 25, 1143

Partnership Bill
(*Colonel Hill, Sir Bernhard Samuelson, Sir George Elliot, Sir Charles Palmer, Mr. Whitley, Sir Albert Rollit, Mr. Seale-Hayne*)
c. Committee—R.P. *June* 13, 76 [Bill 206]

Patents, Designs, and Trade Marks Bill [H.L.]
(*The Earl of Onslow*)
l. Presented; read 1ª * *June* 29 (No. 193)

Patents — Specifications of Colonial Patents
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PEASE, Mr. A. E., *York*
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Perpetual Pensions
Question, Mr. Bradlaugh; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 28, 1570

Perpetuity Leases (Ireland) Bill
(*Mr. T. W. Russell, Mr. Lea, Mr. W. P. Sinclair*)
c. Ordered; read 1° * *June* 25 [Bill 307]

Peru and Chili—The Peruvian Bondholders
Question, Mr. Hunter; Answer, The Under Secretary of State for India (Sir John Gorst) *June* 15, 253

Pharmacy Act (Ireland), 1875, Amendment Bill [H.L.]
(*The Earl of Milltown*)
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Pharmacy Bill—Accidental Poisoning at Lewisham
Question, Dr. Farquharson; Answer, The Vice President of the Council (Sir William Hart Dyke) *June* 28, 1544

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PLOWDEN, Sir W. C., *Wolverhampton, W.*
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Prisons—Report of the Prison Department
Question, Mr. Quilter; Answer, The Under Secretary of State for the Home Department (Mr. Stuart-Wortley) *June* 25, 1121

Prisons Act, 1865—*Employment of the Treadmill in Prisons*
Question, Mr. W. A. Macdonald; Answer, The Secretary of State for the Home Department (Mr. Matthews) *June* 25, 1142

Public Health (Scotland) Provisional Order (Denny and Dunipace Water) Bill (*L. Ker, M. Lothian*)
l. Read 2ª * *June* 14 (No. 136)
Committee * Report *June* 15
Read 3ª * *June* 18
Royal Assent *June* 28 [51 & 52 *Vict. c.* li.]

Public Health (Scotland) Provisional Order (Kirkliston, Dalmeny, and South Queensferry Water) Bill [H.L.] (*The Lord Ker* [*M. Lothian*])
l. Moved, That the Sessional Order of the 6th of March last, "That no Bill originating in this House confirming any Provisional Order or Provisional Certificate shall be read a first time after Friday the 11th day of May next," be dispensed with in respect of the said Bill, and that the Bill be now read 1ª; agreed to *June* 25, 1111; Presented; read 1ª * (No. 177)
Read 2ª * *June* 29

Public Offices—The Receiver and Accountant General's Office—Annual Leave
Question, Mr. Pickersgill; Answer, The Postmaster General (Mr. Raikes) *June* 26, 1276

Public Officials—Disclosure of Official Secrets
Question, Mr. Hanbury; Answer, The First Lord of the Treasury (Mr. W. H. Smith) *June* 28, 1569

Quarter Sessions Bill [H.L] (*The Lord Chancellor*)
l. Committee * *June* 28 (No. 37-187

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Reformatory and Industrial Schools Bill
(*The Lord Norton*)
l. Presented; after short debate, read 1ª *June* 29, 1674 (No. 194)

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(*Mr. Dugdale, Mr. Whitmore, Mr. Wharton, Mr. Curzon, Mr. Dixon, Mr. Mark Stewart*)
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l. Read 1ª * (*E. Camperdown*) *June* 26 (No. 178)

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Rights of Way (Scotland) Bill
(*Mr. Bryce, Mr. Arthur Elliot, Mr. Buchanan, Mr. D. Crawford, Mr. Baird, Mr. Asquith, Mr. Esslemont*)
c. Ordered; read 1° * *June* 13 [Bill 296]

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ROBERTSON, Mr. E., *Dundee*
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Removal of Sheriff Clerk Depute from Tobermory to Oban, Question, Colonel Malcolm; Answer, The Lord Advocate *June* 19, 583

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POST OFFICE (SCOTLAND)
Sorting Vans between Burntisland and Dundee, Question, Mr. Preston Bruce; Answer, The Postmaster General (Mr. Raikes) *June* 14, 112

Scotland—Church of Scotland
Amendt. on Committee of Supply *June* 22, to leave out from "That," add "in the opinion of this House, the Church of Scotland ought to be disestablished and disendowed" (*Dr. Cameron*) *v.* 1060; Question proposed, "That the words, &c.;" after debate, Question put; A. 260, N. 208; M. 52
Division List, Ayes and Noes, 1104

Scotland — Church Patronage (Scotland) Act, 1874
Moved "That a Select Committee be appointed for the purpose of considering the provisions of the Church Patronage (Scotland) Act, 1874, and whether some part of the responsibility for the appointment of ministers to vacant parishes in Scotland

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SCOTLAND—*Church Patronage (Scotland) Act*, 1874—cont.
might not properly and advantageously be extended to the parochial public by means of 'the heritors of the parish (being Protestants) and the elders,' or the heads of families, or committees of the ratepayers, or otherwise" (*The Earl of Minto*) *June* 22, 942; after debate, on Question? resolved in the negative

Scotland—Ecclesiastical Assessments
Moved, "That, in the opinion of this House, it is inexpedient that Assessments for Ecclesiastical purposes in Scotland should be maintained, and that in lieu thereof an equivalent annual assessment ought to be made for assisting Secondary Education in Scotland" (*Mr. Hunter*) *June* 19, 683
Amendt. to leave out from "That," add "as the Ecclesiastical Assessments have been a burden upon land from time immemorial for the erection and repair of church buildings in the old parishes of Scotland, this House, in the absence of any grievance connected therewith, except in the case of feuars, for whose relief a Bill is now before Parliament, declines to entertain a proposal to alienate these assessments to secular uses" (*Mr. James Campbell*); Question proposed, "That the words, &c.;" after debate, Question put; A. 111, N. 148; M. 37
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Resolution, as amended, agreed to

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SOLICITOR GENERAL for IRELAND (*see* MADDEN, Mr. D. H.)

SOLICITOR GENERAL for SCOTLAND (*see* ROBERTSON, Mr. J. P. B.)

Solicitors (Ireland) Bill
(*Mr. Maurice Healy, Mr. Reynolds, Mr. O'Hea, Mr. M'Cartan, Mr. O'Doherty*)
c. Committee *—R.P. *June* 27 [Bill 140]

South Staffordshire Water Bill
c. Moved, "That it be an Instruction to the Committee on the South Staffordshire Water Bill to insert the auction clauses with reference to the £60,750 unissued balance of the ordinary stock, and to the £41,637 unissued balance of the loan capital of the South Staffordshire Waterworks Company" (*Mr. Kelly*) *June* 18, 415; after short debate, Motion withdrawn

SPEAKER, THE (Right Hon. ARTHUR WELLESLEY PEEL), *Warwick and Leamington*
Africa (South)—Zululand, 1557, 1558
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SPENCER, Mr. J. Ernest, *West Bromwich*
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l. Presented ; read 1ª * *June* 25 (No. 176)
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l. Read 1ª * (*E. Onslow*) *June* 21 (No. 166)
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c. Report * *June* 25 [Bill 243]
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Considered in Committee *June* 25, 1249; Moved, "That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1889, the sum of £2,366,400, be granted out of the Consolidated Fund of the United Kingdom" (*Mr. Jackson*)
Moved, "That the Chairman do report Progress, and ask leave to sit again" (*Dr. Tanner*); after short debate, Motion withdrawn
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